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LIBERTY

WASHINGTON
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A MAGAZINE OF RELIGIOUS FREEDOM



DECLARATION OF PRINCIPLES

Religious Liberty Association

We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ; namely, that the church and the state have been placed side by side, each to work in its respective sphere. (Matt. 22:21; John 18:36.)

We believe that the Ten Commandments are the law of God, and that they comprehend man's whole duty to God and man.

We believe that the religion of Jesus Christ is comprehended in the principle of love to God and love to our fellowman, and thus this religion needs no human power to support or enforce it. Love cannot be forced.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things, and that in this realm it is entitled to the respectful and willing obedience of all.

We believe it is the right and should be the privilege of every individual to worship or not to worship, or to change or not to change his religion, according to the dictates of his own conscience, but that in the exercise of this right he should respect the equal rights of others.

We believe that all legislation which unites church and state is subversive of human rights, potentially persecuting in character, and opposed to the best interests of the church and of the state; and therefore, that it is not within the province of human government to enact such legislation.

We believe it to be our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe in the individual's natural and inalienable right of freedom of conscience, and the right to profess, to practice, and to promulgate his religious beliefs; holding that these are the essence of religious liberty.

We believe that these liberties are embraced in the golden rule, which says, "Whatsoever ye would that men should do to you, do ye even so to them."

*Religious Liberty Association, 6840 Eastern Avenue,
Takoma Park, Washington 12, D.C.*

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Third
Quarter
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Our Cover Picture

We are indebted to the Air Transport Association of America for the interesting view of the Statue of Liberty against a background of sky and flying planes. It was redrawn by one of our artists to give more length to the picture.

During one of his visits to the United States, the French sculptor Bartholdi was impressed with the eagerness with which the immigrants crowded the decks for a first glimpse of the new land to which they were coming with such hope and confidence. The thought came to him, "What a joy and encouragement it would be to these people if they could see something to welcome them—a colossal statue—of a woman holding aloft a torch, symbolizing liberty enlightening the world!" Thus was born the idea of the famous statue. It was built by the French people and presented to the American nation with appropriate ceremonies on October 28, 1886.

Some conception of the size of this figure can be gained from the fact that the distance from the base of the pedestal to the torch is 395 feet. The hand is 16½ feet long and the index finger is 8 feet.

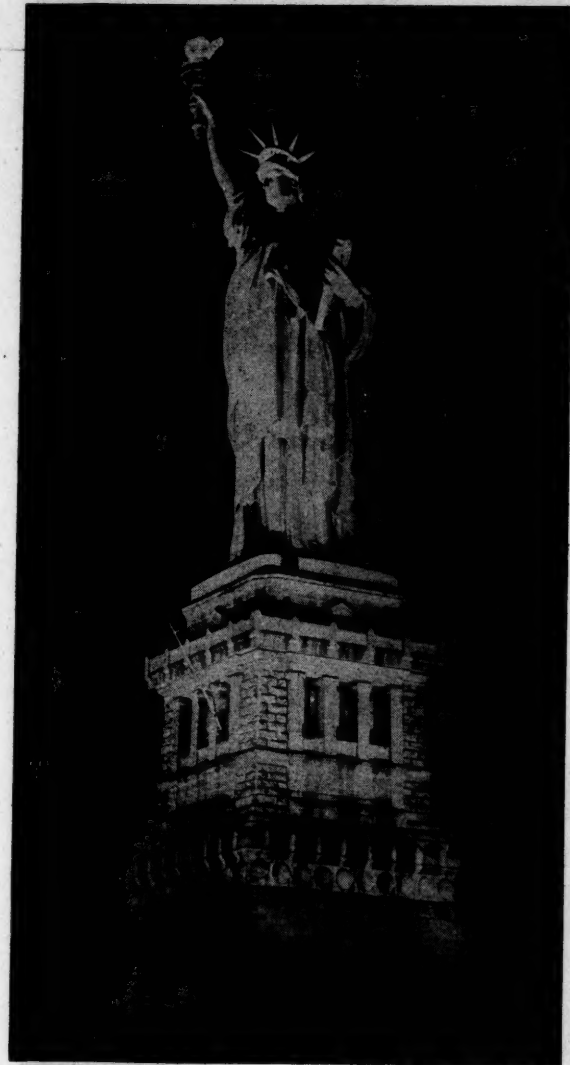
The world today has great need, not so much of symbols, as of the true spirit of helpfulness and good will among the nations.

Back Cover

Land of the Free.

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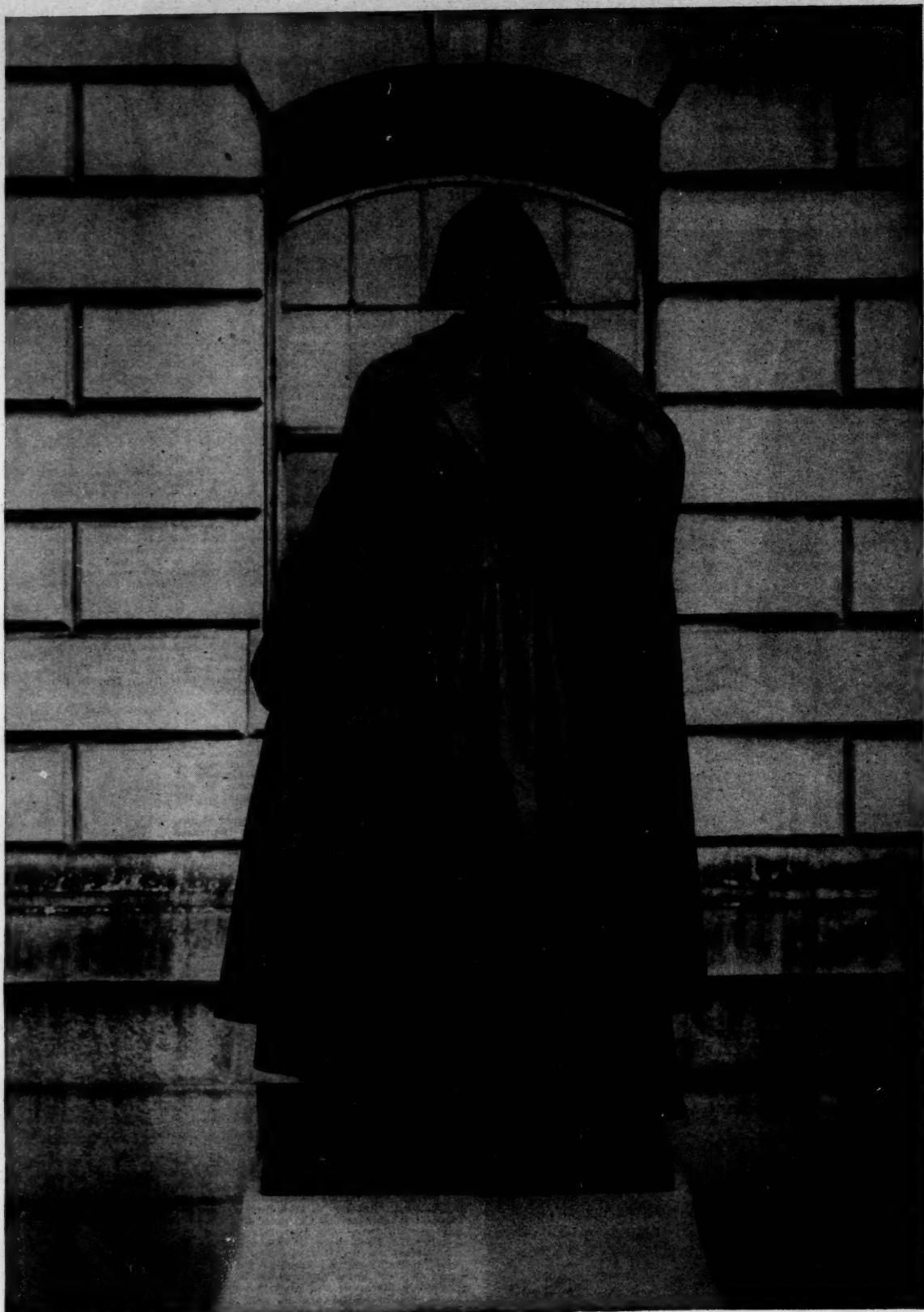


Ewing Galloway

This colossal statue on Bedloe's Island stands as a great guardian at the entrance of the continent. By day and by night this grand woman holds aloft her torch symbolizing the spirit of Liberty.



THIRD QUARTER



Ewing Galloway

ANNE HUTCHINSON

Proponent of Liberty

By STANLEY HARRIS

STANDING BEFORE THE DIGNITARIES of the Church of England, in a crowded council room, Francis Marbury, deacon, late of Northampton, impudently confounded those who accused him of being "an overthwart, proud, Puritan knave." He had previously been imprisoned for his preaching, released, and again arrested. In final desperation Bishop Aylmer, of London, committed this free-speaking and freedom-loving quick-witted preacher to a third term of imprisonment. After the passing of the sentence, Marbury retorted, "I am to go whither it pleaseth God, but remember God's judgments. You do me open wrong. I pray God to forgive you."

This dramatic scene occurred in St. Paul's Consistory, London, November 5, 1578, before the Ecclesiastical Court.

Nearly sixty years later Francis Marbury's daughter, banished from Massachusetts and excommunicated from the church in Boston, proclaimed the spirit of her father in the face of her enemies, saying, as she passed from their presence: "The Lord judgeth not as man judgeth." The daughter of the "proud, Puritan knave" was none other than Anne Hutchinson.

Anne Hutchinson was like her father in that she freely formed her own opinions and was just as free to speak them. She was a tall, impressive-looking woman of quick and intelligent mind, but not beautiful. Men were drawn to her for her keen and stimulating thinking. Women flocked to her for physical help and comfort in time of trouble. She was always ready to minister in practical as well as spiritual ways. Her own home and large family were well ordered, but in addition to home responsibilities her knowledge and ability with herbs and other medicants were freely bestowed upon all who were needy.

William Hutchinson, the husband of Anne, was a mild-mannered but solid businessman. He was a pro-

found admirer of his wife's ready wit and keen intellect. His life was lived only to serve his brilliant spouse.

Anne and her family regularly attended the services in Old Boston to hear the remarkable Puritan preacher John Cotton. She admired Cotton more than any other man. His preaching held her spellbound. She not only agreed with his separatist views but was far ahead of him in her convictions on freedom of conscience. It was not long after the Established Church of England had driven Cotton out of the homeland until Anne decided that she and her family must follow him and the other faithful Puritans to America.

The trip to America was a painful experience, but the Puritans strengthened themselves against their vexations by holding prayer meetings and by listening to the daily preaching and exposition of the Reverend Zachariah Symmes and the Reverend John Lothrop. Among the whole company no one talked more brilliantly than Anne Hutchinson or expressed more positive convictions, and she soon found herself the center of a little court that stimulated her quick tongue to voice whatever her quick mind conceived. She felt free to express her religious convictions, much to the distaste of Reverends Symmes and Lothrop, who were shocked by the way Anne so vigorously maintained her opinions. Anne taught a religion of love, as contrasted with the harsh and dogmatic doctrine of works. Said Anne: "If you have the grace of God in your souls, you cannot displease Him. Get your heart right, and you cannot sin." This was a thrilling new teaching, but it was bound to get Anne into trouble.

The new country of America was very primitive, and the hardships were great; but Anne Hutchinson was glad to make any sacrifice to be able to listen to John Cotton preach in the freedom of the new land. But what a shocking disappointment to Anne to learn that intolerance was carried over from the old country, and that even the great preacher John Cotton had to be guarded in his statements. She soon found out that there was persecution in this so-called land of the free of those who were not willing to abide by the rigid rules of Puritanism. Imprisonment, torture in

This statue of Anne Hutchinson, by Cyrus Dallin, stands in front of the State House in Boston. The inscription under the statue reads: "In Memory of Anne Marbury Hutchinson, baptised at Alford, Lincolnshire, England, July 29, 1591. Killed by Indians at East Chester, New York, 1645. A courageous exponent of civil liberty and religious toleration."

the stocks, and even death were meted out as punishment to those who refused to conform to the religious laws.

Many people flocked to the home of Anne Hutchinson for physical help, and stayed to hear her words of spiritual comfort. Soon meetings were held in the home, and the gatherings grew more and more popular as Anne sallied forth in boldness to propagate her teachings of love and grace. No wonder her teaching was welcome! It brought joy and peace that the Puritans had not found in all their conning of the Bible and in their rigid rules, their mint, anise, and cummin, and it won many followers.

"Come along with me," wrote Edward Johnson in his *Wonder-working Providence*—satirizing not inaccurately the feelings if not the very words of her admirers—"and I'll bring you to a woman that preaches better Gospell than any of your black-coats that have been at the Ninnyversity, a woman of another kind of spirit, who hath had many revelations of things to come, and for my part, I had rather hear such a one that speaks from the meere motion of the

spirit, without any study at all, than any of your learned Scollers, although they may be fuller of the Scripture."

The fact is, it would have been hard to find anyone better versed in the Scriptures than Anne. But her meetings were beginning to attract the attention of the ministers and of Governor Winthrop also. While the people who listened to her were delighted and thrilled, the Puritan hierarchy were greatly incensed over her opposition to their teaching. The indignant ministers, in self-defense, were driven to find some ill name for Mrs. Hutchinson's beliefs, and readily there came to their minds a scare word of the time—Antinomianism. So Anne and her associates were labeled Antinomians, and automatically became something to be viewed with alarm, a menace, a "peril."

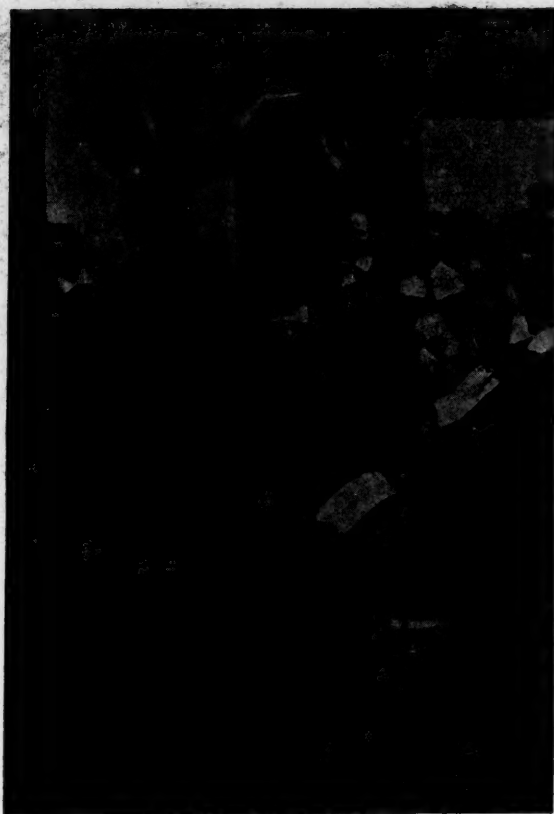
Anne Hutchinson believed in obedience to God, but she believed that one must get his heart right and then he could not sin. She believed in the freedom of conscience. The Puritan was still groping after the idea that the court of last appeal for himself was his own conscience, but he could not yet see any reason for granting the same privilege to other men. While the right of liberty of thought was being formulated and crusaded for by Anne Hutchinson, it was not yet allowed. It was on its way, but had not yet arrived. Anne was one of the great forerunners of this freedom. But, alas, she was to be sacrificed on the altar of prejudice and intolerance because of the ministers' resentment toward her popularity and power. She had touched them in their very tenderest part—their pride in their preaching.

It was the determined purpose of the Puritan clergy to silence the democratic voice of Anne Hutchinson, and so she was hailed into court to stand in judgment for her teachings of freedom of thought and action. The scene was set for the trial—the criminal trial of a woman who had devoted her life to helping the sick and needy and to the teaching of God's Word. A woman, alas, who had exercised her right to free judgment and free speech without thought of where it might lead her.

On the cold day of November 7, 1637, Anne Hutchinson faced the General Court. The persons in this tense drama to be enacted were Governor John Winthrop and his magistrates, who were largely antagonistic to Anne. Besides these, there were the spectators, who were largely the enemy ministers, among whom was Reverend Symmes, with whom Anne had tangled on the boat coming from England. Several of these men, back in England, had known what it was to be on trial for differing with the



"It was not long after the Established Church of England had driven Cotton out of the homeland until Anne decided that she and her family must follow him and the other faithful Puritans to America."



Howard Pyle, Artist

Anne Hutchinson was arrested by the Colonial authorities for preaching in her own home, and later was banished from the Massachusetts colony because of her religious views.

authorities in matters of religion. John Cotton was also present. He knew what it was to run counter to the authorities over religion too, but—and this was the hardest blow for Anne—he sided with the majority in condemning her. The great Cotton lost his courage, and as a matter of policy, and in order to safeguard his own position, he became one of Anne Hutchinson's most vicious opponents.

Seldom had a court been filled with greater hate than this court. Tempers flared as Anne stultified her accusers. An appalling list of eighty-two so-called heresies were brought forth. Among them Anne heard many of her own words repeated, but along with them strange vagaries that she had never even imagined. One of the ministers, aghast at the swarm of heterodoxies, cried out after the reading, "What is to be done with them?" And John Wilson, minister of the Boston church, vigorously replied, "Let them all go to the devil of hell whence they came!"

Finally the words of excommunication fell from the lips of John Wilson: "In the name of the Lord Jesus Christ and in the name of the church I do not only pronounce you worthy to be cast out, but I do cast you out; and in the name of Christ I do deliver you up to Satan, that you may learn no more to

blaspheme, to seduce, and to lie; and I do account you from this time forth to be a Heathen and a Publican, and so to be held of all the brethren and sisters of this congregation and of others. Therefore I command you in the name of Christ Jesus and of this church as a leper to withdraw yourself out of the congregation."

As Anne Hutchinson slowly moved down the aisle an outcast, there was an overwhelming feeling of awe among the ministers at the appalling social and religious machinery that they had set in motion. As Anne passed from the church, one of the women said softly to her, "The Lord sanctify this unto you," and Anne paused to reply, with the proud dignity that did not desert her in her bitterest hour, "The Lord judgeth not as man judgeth. Better to be cast out of the church than to deny Christ." These were her last public words in Boston. So spoke young Francis Marbury (Anne's father) to Bishop Aylmer and the High Commission Court at his condemnation.

The magistrates notified Anne that she was to be banished from the colony, and was given until the end of the month to leave. The Hutchinsons moved to Rhode Island, which became known as "The Isle of Errors." Shortly after the move was made, Anne's husband died, leaving her to care for the family alone. It soon became apparent that the Massachusetts Bay Colony was endeavoring to reach out and control Rhode Island, so once again Anne and her family moved, this time to Long Island. Finally she moved to Pelham Bay in New York State, where she fell into the midst of a war between the Dutch and the Indians.

In September, 1643, Anne Hutchinson stood in her doorway looking at the fields of corn when a group of Mohegans in war paint rushed up, whipping out their tomahawks. Anne saw four savages rush at her sons. William Collins, her son-in-law, and Francis were struck down, their skulls crushed and bleeding. Her daughter Anne fell beside her young husband. Mrs. Hutchinson caught little Susanna to her breast to shut out the sight from the screaming child. Katherine was half over a fence, but a Mohegan caught her by the hair and dragged her back to a stump. Anne Hutchinson heard the sickening blow; she saw Mary and little William rush sobbing to her, as if she could save them. Then two Indians were upon her, and the

"Weep not for him who loathes his galling
chains
And tears his flesh in struggling to be free;
But pity him who, fettered, knows no pains—
Content with crust and mat, thus chained
to be."

—George B. Cutten.

child was torn from her breast. A tomahawk fell. Anne Hutchinson was dead.

Anne Hutchinson was cut down, but the principles for which she had struggled soon emerged to play their roles in history. A year after her death toleration became for the first time a major issue in England. Sir Henry Vane, a great figure in England and a friend of Anne's, with Roger Williams at his side, entered the first Westminster Assembly of English and Scottish prelates, and enunciated the doctrine of religious freedom. Although this was premature, and toleration was mowed down by the assembly, under the Commonwealth it began to take root and grow

and grow. The seed planted grew up to bear fruit, and with the triumph of human liberty and toleration triumphed Anne Hutchinson's faith.

Boston has finally made up its quarrel with the woman it cast out as "unsavoury salt." Her monument stands before the Massachusetts State House, with a fervent inscription to this "Courageous Exponent of Civil Liberty and Religious Toleration." There she stands, with a Bible in her hand, and a child snuggled against her, New England's heroine for civil liberty and religious toleration. The principles for which she suffered exile and death, are written into the Constitution of the United States.

School Row Stirs Wisconsin

By ELLIS H. DANA

[Ellis H. Dana is executive vice-president of the Wisconsin Council of Churches, with headquarters in Madison. He is also a member of the Board of Managers and Executive Committee of the new Joint Department on Religious Liberty of the National Council of Churches. He is the author of many articles in religious and educational journals and booklets on church and state issues, including "Storm Clouds Over Our Public Schools," which has had a wide circulation throughout the United States. He was a key leader in the November, 1946, Wisconsin referendum in helping successfully to defeat a proposed constitutional amendment, which would have authorized bus transportation for parochial school children.]

Ellis H. Dana

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LAST FALL the country schoolhouse opened, but not on schedule, near Durand, in the northwestern part of Wisconsin. This schoolhouse is situated about six miles east of Durand, in a beautiful and prosperous-looking countryside.

Public School Teacher Rebuffed

Mrs. Margaret Hart, the public school teacher, and a few pupils arrived about 8:30 A.M. at the little brick Averill school in rural Pepin County. But she and her pupils, much to their amazement, found the basement windows barred, the windows on the main floor locked or nailed shut, and a new lock on the front door, which Mrs. Hart's usual teacher's key would not fit. Even the coal chute was wired shut from the inside.

Director William C. Fox, of the Averill school board, a farmer living nearby, tried his best to open the door, without success. So did several others, who had joined him, when it was found that Mrs. Hart could not gain entrance. There were less helpful but

curious onlookers who wished to see what might happen. Such was a climax to a row that had been smoldering for months and even years within the population in this area, which is approximately evenly divided between Protestants and Catholics.

Of course, it was natural that the parents of the eleven Protestant pupils who ordinarily would attend the Averill country school did not wish their children to be taught by Roman Catholic nuns in the nearby Lima school at the Sacred Heart School of the Holy Rosary parish. There the first floor is operated as a public elementary school and the second floor as a parochial high school. In the elementary school 197 pupils are Catholics and six of its seven teachers are nuns. And who can blame these Protestant parents, in free America? What is the story of this controversy, which is receiving publicity in St. Paul and Milwaukee newspapers, and is now coming to the attention of church, educational, and religious leaders throughout the country? Here are some of the facts.

Public School Classification

Averill Joint School District Number 5 is made up of part, or all, of the towns of Lima and Durand in Pepin County, and Canton and Maxville in Buffalo County, Wisconsin. It has been a quasimunicipal corporation, operating a public graded school for many years. Joint School District Number 1, Lima Con-

solidated State Graded School, is in the town of Lima. Prior to the late 1930's it operated a parochial grade and a two-year high school called Sacred Heart School. In about 1938, strangely, the grade school was classified by the State of Wisconsin as a public school, and it is so classified today. Prior to the fall of 1938 each of these districts had its own school board and schoolhouse.

In 1948 and 1949 it was evident to the residents of the Averill district that most of the residents of the Lima district desired to consolidate the two districts. However, the Protestant residents of the Averill district did not favor such consolidation, but rather wished to retain their own public school. They felt that the Lima school, even though classified as a "public" school, nevertheless was actually a parochial school.

Despite this, in the fall of 1949 a petition for consolidating the Averill district with the Lima district was supposed to be filed with the clerk of the Averill district, and a referendum was to be held in order to effect proper consolidation. The facts show that no further proceedings were had under this petition and that no action was taken by the Lima proponents of consolidation.

Petition Circulated

Before October 20, 1949, a petition was circulated by residents of the Averill district which called for the attachment of their district to the Joint District Number 3 of the city and town of Durand, which was the city school plan of Durand, and would mean twelve grades of education for the children of the district. There was a meeting of the different municipal boards on October 20, 1949, when the petition for attachment to Durand was defeated.

Under Section 40.30 (b) of the Wisconsin Statutes, an appeal was made by the petitioners on about November 7, 1949, to the State Department of Public Instruction, which raised a question of jurisdiction that has not yet been decided.

In 1950 the Lima district again asked for a referendum on consolidation of the Averill and Lima districts. The school boards met at the Lima school on July 27, 1950, at which time the petition was considered, and it was decided to submit the question

to a referendum of the voters in the two districts. However, those not favoring such consolidation, upon good authority, were advised that such action was illegal and that they, therefore, should take no part in either the election or the voting. They so advised the boards at the referendum election, held on August 11, 1950, and did not vote. Notwithstanding these circumstances, the votes were canvassed on August 18, 1950, after which an order was entered which consolidated the Averill and Lima districts. The Lima district absorbed, by this action, the Averill district. The first meeting of the newly consolidated district was set for August 28, 1950, at 8 P.M. at the Lima schoolhouse.

Annual Meeting Decision

In June, 1950, the Averill school district held its regular annual meeting, at which time the usual routine matters were considered and decided, including the hiring of Mrs. Hart as the teacher and the election of officers. This action, of course, was premised upon the assumption that school was to be resumed on August 28, 1950. But as related before, entrance could not be had, and it was found later that the key had been given to the sheriff; who refused to act unless directed to do so by the district attorney, or by officers of the Lima district. The district attorney refused, also, to do anything. This was indeed a sorry stalemate. But in spite of it the teacher made lesson assignments and the district held school for a few days at Averill school in Pepin County.

On the evening of August 28, 1950, at the meeting of the consolidated school board at Lima, newly elected members of the board ordered the Averill school closed and even threatened legal action against those molesting, disturbing, or entering again the Averill school building. Residents of this new district were instructed to send their children to the Lima school. Yet, and in face of this, parents of some children sent their children to the Durand public school, even with the encouragement of the school board at Lima, although a ruling of the Durand board had not been reached as to what this might cost.

It now appears that these families will have to pay both bus transportation and tuition for their children, which may be impractical. Yet some par-



Photos by Paul White

On the left the Averill Public School, in the center the Holy Rosary Parish School and church, and on the right the Sacred Heart School.



Photos by Paul White

Above, Wisconsin public schools that have been closed. Below, sites of old district schools.

ents are continuing to do so, awaiting legal decisions of cases now pending.

It should be mentioned that no records of the minutes of the meeting of October 20, 1950, are now obtainable. This, in spite of the fact that it appears upon good evidence that minutes were kept, which suggests to the Protestant parents that the minutes are being withheld deliberately. This and other issues are at stake.

Based upon the assumed illegality of the referendum, the Protestant taxpayers of the Averill school district started an action against the new Lima district and its officers. The aim is to get an order legally declaring such consolidation as invalid, and setting it aside. It also hopes to enjoin the disposition of the assets of the Averill district and restrain the officers from expending the public funds of the district. Farr and Brown, attorneys in Eau Claire, who are handling this case, and who generously supplied this factual information to the author, point out that the defendants sought to make the State superintendent of public instruction a defendant in order to keep him from acting on the appeal of the plaintiffs, although this attempt was inconclusive.

Another Important Question

The next question is: Is the Lima school a public or a parochial school, in view of the facts surrounding its administration? This question is now being debated in a good many corners of Wisconsin, and might well go to the higher courts before being finally settled.

Before 1938 the present Lima school was recognized as the Sacred Heart School. It is situated on land owned by the Holy Rosary Catholic congrega-

tion; the Catholic church is very near the school on the same ground, and so is the Holy Rosary Cemetery.

The Lima school board rents rooms in the Sacred Heart School building, directly from the Holy Rosary Catholic congregation. This is for the operation of its so-called "public graded" school. As previously stated, these rooms are actually on the first floor of this school building, while the Sacred Heart Parochial High School uses the second floor in the same building. Obviously, there is no clear-cut separation between the "public school" and the parochial school.

With one exception, the teachers in the elementary school are members of a Catholic religious order and always teach in religious garb. Furthermore, the one lay teacher has usually been of the Catholic faith. The Diocese of La Crosse and the parish authorities require all the teachers to attend a special Catholic school for instruction for teachers in Catholic parochial schools. This is held annually by the La Crosse Diocese of the Roman Catholic Church.

But this is not all. The public school busses are called upon to serve the schools by operating earlier in the morning than for the regular public schools, in order to get the children to school for early morning mass. When the children get there the Protestant children are now kept in the basement while mass is going on. For the high school, mass is over about 8:30 A.M., and for the elementary school, about 9 A.M. This not only holds the Protestant children up, but, as further facts might bear out, often embarrasses the children thus treated.

It has been found out that for some time all the children, both Protestant and Catholic, were actually compelled to attend all funerals and weddings held at the church on school days during school hours. Later this arrangement was changed, so that Protestant children might remain in their schoolrooms while the Catholic children attended under the supervision of the teaching nun.

Other Sectarian Influences

As if this were not enough for Protestant parents, who were obliged to send their children to the Lima school, there are still other things that bother them.

Quite naturally, there is statuary of the Catholic faith upon the school grounds. On certain special days all school children, regardless of their religious faith, are expected to join in Catholic ceremonies in front of these statues.

In the grade-school rooms there are statues and other Catholic religious symbols while school is in session, and which, it is said, are only absent when the grade school is inspected by the public school officials. Some feel that if the inspection be pressed too far political reverberations would follow.

The Roman Catholic religion is taught daily in both schools, even though Protestant students are not

required to study or recite. As might be expected, religion is a required subject for all Catholic children, and the subject is entered upon the report cards, at least of those that are issued to the children of Catholic parents. All the report cards that are issued to all the children are stamped, under the nuns' signatures. The name of the parish priest, who is not a teacher, nor is he a member of the school board, also appears on these cards.

Strange though it may seem, although the so-called Lima "public school" is supposed to be public, it is nevertheless listed by the Roman Catholic superintendent of schools of the diocese of La Crosse as the Sacred Heart School and as a parochial grade school, and is so recorded in the official paper of the diocese. Surely it cannot be both public and parochial. But these are the facts, and this is the story.

Nor would the story be complete without mentioning the courageous leadership of the local Protestant ministers in nearby Durand, Methodist Herbert Austin and Congregationalist Thorley Johnson, who, with various church laymen and educators, have spearheaded the drive of a most representative and determined local citizens' committee to gain recognition and financial support, in order to advance the religious liberty cause and the cases waiting to be heard in court. Without this the basic issues involved would probably not have been pressed, nor would the other Durand tensions over irregularities in "school gymnasium" uses have been carried by them into the petition in the local Durand paper.

It is people like these in the grass roots of Wisconsin and of America who often count most in defending our time-honored, though often little understood, principles of religious liberty.

Is it any wonder that there is a school row in Pepin and Buffalo counties, Wisconsin, which is becoming more and more widely known throughout the State, and even the nation—at least to those who are interested in upholding religious liberty in America and who are determined to keep church and state separate, lest as time goes on we get into interminable quarrels such as this.

Other Wisconsin Irregularities

Is it any wonder that Protestants and others in Wisconsin are becoming more concerned about "garbed sisters" teaching in at least five other public schools; about the public discussion concerning a courageous State superintendent of public instruction who is enforcing the law for proper certification of teachers in parochial schools; about the newly introduced Gettleman Senate bill on school bus transportation, with its clever humanitarian appeal, but its unconstitutional provisions favoring parochial schools by providing reimbursement costs without even specifically stating them? These and other similar issues have Wisconsin people stirred up and talking.

The Wisconsin Council of Churches has devised a short- and a long-term program on religious liberty to meet such situations adequately; a movement is also on foot to create a State-wide organization on religious liberty, to afford all religious leaders and groups a chance to unite together in upholding religious liberty and in preserving our public schools. Even though Roman Catholic aggression in Wisconsin is on the march, so is an aroused and intelligent religious leadership and strength, with plenty of partially organized support from educators and laymen.

The Bell That Rang for Liberty

By W. M. ADAMS

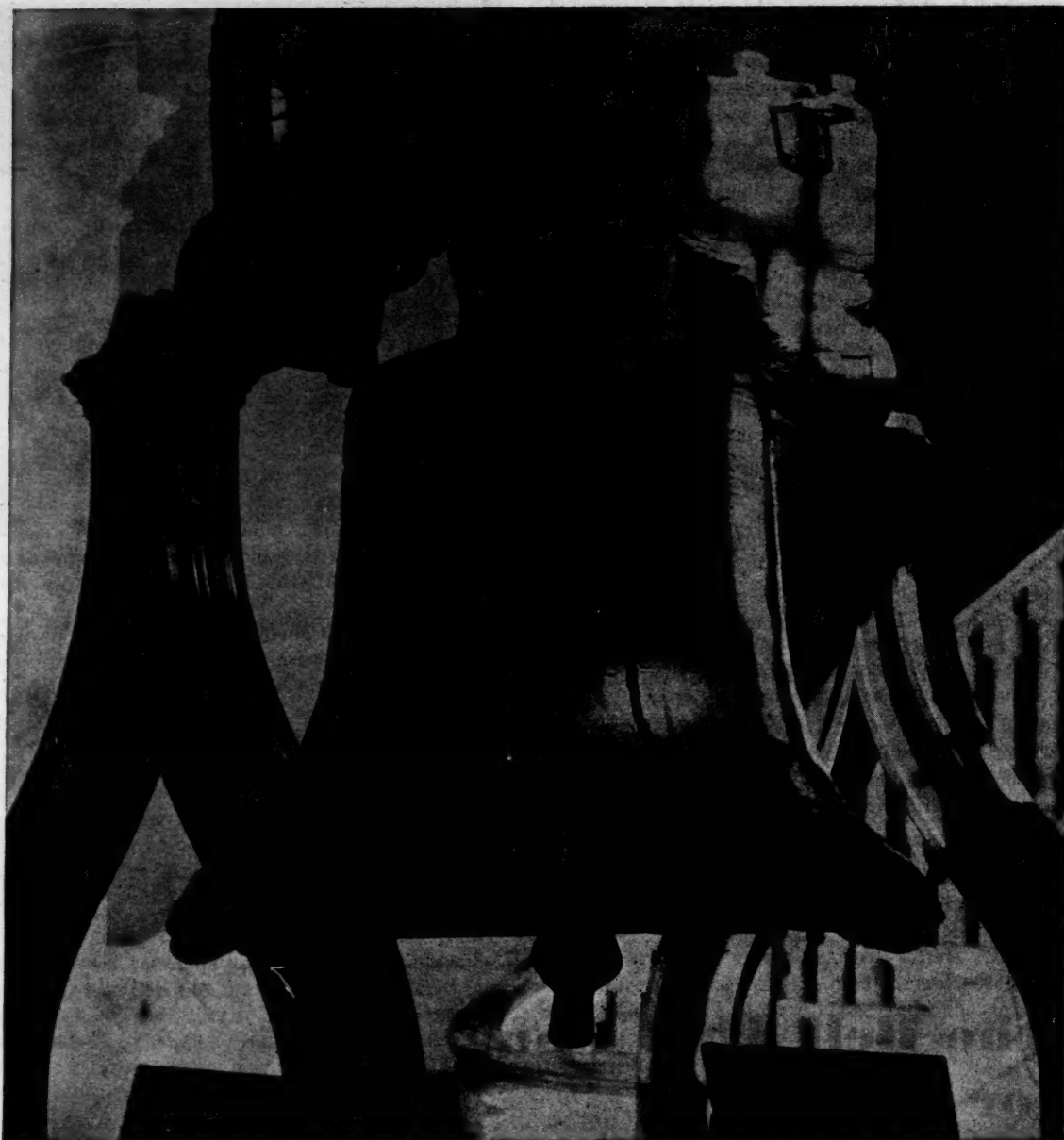
[The author of this article was a representative of the Religious Liberty Association for many years in California and adjoining States. Though because of advanced years he has found it necessary to be less active than formerly, he has lost none of his interest in the great principles that have made America what it is. We are sure our readers will like his article.—EDITORS.]

THE LIBERTY BELL is a precious relic to Americans, because of its connection with the events which gave our nation its birth.

The Assembly of the Colony of Pennsylvania during 1750 and 1751 discussed the need of a bell for

their State House. On October 16, 1751, an order was given that a bell be provided and that it bear the inscription, "Proclaim liberty throughout all the land unto all the inhabitants thereof." The times made the inscription significant.

The bell was cast in England and arrived in good order in Philadelphia in August, 1752. It was twelve feet in circumference at its lip and seven feet six inches at the crown. The clapper was three feet two inches long. This bell was soon found to be faulty, for it was cracked in March, 1753, and it became



H. M. Lambert

A close-up of the most famous bell in America, the bell that rang for liberty on a number of occasions during the early days of the republic. While tolling for a funeral in 1835, the bell was cracked. It rings no more, but hangs silent and still in its place of honor in Philadelphia's old Independence Hall.

necessary to recast it twice before it gave the satisfactory vibrant tone that was desired. It was placed on the old Pennsylvania State House in Philadelphia, which is known today as Independence Hall, since in it the Declaration of Independence was adopted during the meeting of the second Continental Congress.

Tradition says that on July 4, 1776, the Liberty Bell was rung in celebration of the signing of the Declaration of Independence, but historians generally hold to the opinion that the ringing actually took place four days later, on the eighth, during the public celebration that was held in honor of the Declaration.

The date is less important than the fact that a new nation was born and dedicated to freedom for all men. The news of the signing spread rapidly from village to village, and from State to State, fulfilling the motto of the proclamation in a striking way.

When the British General Howe approached Philadelphia with his army in September, 1777, the Continental Congress and the Supreme Executive suggested that the bells of all the public buildings of the city be taken down and removed to places of safety. Allentown claims the honor of sheltering the Liberty Bell during its period of exile. There is a tablet on

the Zion Reformed church there to commemorate the concealment of the famous bell in the church's basement. Soon after the British were driven from Philadelphia, the bell was restored to its place, though there is no record of the exact time of its return. It was rung "by order of the Council" at the surrender of Cornwallis in 1781. It cracked while being tolled during the funeral of Chief Justice John Marshall, in 1835. It has been silent since. The bell is kept in the city, where it served on momentous occasions, and it is rightly revered by Americans. Its spirit is still found in the hearts of all true Americans.

The very words of the Declaration of Independence show that its author and its signers understood fully the teaching of Jesus Christ, who when asked to name "the great commandment of the law," answered, "Thou shalt love the Lord thy God with all thy heart, and with all thy soul, and with all thy mind. This is the first and great commandment," adding, "and the second is like unto it, Thou shalt love thy neighbour as thyself." This great document signed by our forefathers refers in its first paragraph to what is called "a decent respect to the opinions of mankind." This made them feel that they "should declare the causes" which impelled them to separate from England. The announcement's last words are these: "And for the support of this Declaration, with a firm Reliance on the Protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor." They had officially recognized their obligations to both God and their fellow men.

John Hancock, president of the Continental Congress, signed first; fifty-five others followed. Rhode Island had but two signers, the fewest from any colony; Pennsylvania had the most—nine.

These men all knew that they would be counted traitors, with their estates and their lives forfeit. This did not scare them, for they had pledged their "lives," their "fortunes," and their "sacred honor." Events proved that their honor was indeed sacred; there was not a traitor in the group. More than seven years passed before a treaty of peace was signed with Great Britain at Paris in September, 1783, yet not a man of the fifty-six wavered or thought of turning back. Their devotion to the idea of liberty for all was not abated by the privations of war. Men everywhere were amazed at the temerity of a few colonists in opposing the power of one of the world's great nations, without any worth-while funds, and a poorly equipped army. The outcome of the struggle proved that right is stronger than might.

Most of the earlier immigrants to America did not seek material gain only. Many were escaping religious persecution in the Old World. They brought with them devotion of heart to God and His commandments.

In their fight for liberty they were moved by a correct understanding of the dignity of man as a son of God. They believed that the motto which was on their Liberty Bell should be a charter of freedom indeed. Though many of them left the established church of the mother country to join other religious bodies which were found in the colonies, they did not turn from God by this act. That the Father of the country, George Washington, believed in something more than mere morality is shown by these words of his: "Of all the dispositions and habits which lead to political prosperity, Religion and Morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great Pillars of human happiness, these *firmest props* of the duties of men and citizens. . . . Let us with caution indulge the supposition, that Morality can be maintained without Religion."

Philip Schaff, the great theologian and writer who was born in Switzerland but came to America to live when only twenty-five years of age, might have been speaking for the colonists when he wrote: "The destruction of religion would be the destruction of morality and the ruin of the state. Civil liberty requires for its support religious liberty, and cannot prosper without it."—*Church and State*, pp. 15, 16.

Madison, who has been called the father of the Constitution, stated clearly and forcefully the proper relation of church and state during a discussion of a proposal to adopt the Bill of Rights, the term applied to the first ten amendments to the Constitution: "The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed."

All history offers proof that when either the church or the state gains dominant power, it is bad for the other.

From the time our nation was founded until today there have been those who have felt that freedom of religion must lead to abuse of religious rights, but liberty is not license and must not be used "as a cloke of maliciousness." (1 Peter 2:16.) Religious liberty in the church is freedom in religion and not freedom from religion. In the state, civil liberty is freedom in law and not freedom from law. If under the words *personal liberty* we advocate freedom from the necessary legislative restrictions that protect the rights of all, we are approving anarchy. "The only freedom which deserves the name is that of pursuing our own good in our own way so long as we do not attempt to deprive others of theirs."—JOHN STUART MILL. This is the freedom guaranteed by the Constitution of the United States. This is the freedom which is upheld by our highest tribunal when cases challenging it come to our Supreme Court. This is the freedom that is worthy of devo-



tion and protection. This is the freedom for which the men of the Continental Army fought. This is the liberty which the inscription on the Liberty Bell proclaimed.

In the 175 years that have passed since the Declaration of Independence was signed, the United States of America has grown from thirteen colonies, sparsely settled, to a great nation of more than 150,000,000 souls. Unparalleled opportunities have come to its citizens. Today the nation is strong and wealthy. However, if the spirit of the Constitution, the devoted zeal of the men who wrote it, and the message of the Liberty Bell should ever be forgotten, the glory would depart from this land. Nations are not great because of the abundance of material things they have. Character is the test of greatness.

For the celebration of Queen Victoria's sixtieth year on the throne of the British Empire, Rudyard Kipling wrote his "Recessional." Not all of it could

apply to our country, but its message of warning and exhortation should be remembered by Americans today.

Recessional

God of our fathers, known of old,
Lord of our far-flung battle-line,
Beneath whose awful Hand we hold
Dominion over palm and pine—
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

The tumult and the shouting dies;
The captains and the kings depart:
Still stands Thine ancient sacrifice,
An humble and a contrite heart.
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

Far-called, our navies melt away;
On dune and headland sinks the fire:
Lo, all our pomp of yesterday
Is one with Nineveh and Tyre!
Judge of the Nations, spare us yet,
Lest we forget—lest we forget!

If, drunk with sight of power, we loose
Wild tongues that have not Thee in awe,
Such boastings as the Gentiles use,
Or lesser breeds without the Law—
Lord God of Hosts, be with us yet,
Lest we forget—lest we forget!

For heathen heart that puts her trust
In reeking tube and iron shard,
All valiant dust that builds on dust,
And guarding, calls not Thee to guard,
For frantic boast and foolish word—
Thy mercy on Thy People, Lord!

Amen.

—From *The Five Nations*. Used by permission.

The Traverse City Case

By ALVIN W. JOHNSON, Ph.D.

SOME TIME ago reference was made in this magazine to the experiences of two Seventh-day Adventist colporteurs in Traverse City, Michigan. These two young men were selling two well-known books: *Bible Readings for the Home* and *Modern Medical Counselor*. They were also taking orders for two magazines: *These Times* and *Life and Health*. Some small tracts were being distributed free of charge.

While going from house to house they were stopped by the police and taken to the city hall. There they were arrested for calling upon people in their homes for the purpose of securing orders and selling religious books without a previous invitation from the occupant or occupants of the homes in violation of a city ordinance which reads:

"No solicitor, peddler, hawker, itinerant merchant, transient vendor of merchandise, or other person shall go in and upon private residences in the City for the purpose of soliciting orders for the sale of services, goods, wares and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residences."

A nominal fine was imposed on condition that the work would be discontinued. The validity of the arrest was sustained in the municipal court, whereupon the cases were appealed to the circuit court of appeals. There it was maintained that the ordinance in question was unconstitutional in that it was in

violation of "the free exercise of religion" and the "freedom of the press," as set forth in the First Amendment to the Constitution of the United States and as made applicable to the States through the due-process clause of the Fourteenth Amendment, which reads, "Nor shall any State deprive any person of life, liberty, or property, without due process of law."

In spite of this argument, Judge Howard L. Campbell upheld the decision of the municipal court. Prior to taking an appeal to the State supreme court, a motion was made for a new trial. Growing out of the argument on the motion for the new trial, the circuit court of appeals reversed its former decision as well as that of the municipal court; declared the city ordinance unconstitutional so far as it related to these colporteurs, and removed all charges which had been filed against them.

The cases, while separate, were tried and decided as one case, the questions of law in each case being the same. In rendering its decision the court said:

"I believe the reasons given in the motion may be summarized and grouped as before stated, namely:

"1. Is the ordinance a valid exercise of police power?

"2. Does the ordinance infringe upon the Constitutional rights of the defendants?

"The decision in this case will be important to both the citizens and law-enforcement officers of Traverse City. It will be important to the defendants. Therefore I shall discuss the facts and law somewhat in detail.

"The ordinance under consideration, in this case, appears in Chapter 3 of the Traverse City General Code, and is headed: PUBLIC WELFARE.

ARTICLE 1. NUISANCES AND ANNOYANCES. It seems to have been designed to protect householders from being called to the door from time to time to answer the call of a hawker or peddler. It does not attempt to regulate hawkers and peddlers, but it definitely attempts to prohibit them from going on to the private premises of another without invitation. It reads:

"No solicitor, peddler, hawker,**or other person shall go upon private residences**for**sale of services, goods, wares, and merchandise,** not having been invited so to do by the owner**or occupant** of said private residence.'

"To one householder the call may be welcome; to others, it might be an annoyance. The question is: Is it a private pleasure, or a private annoyance? If it is a private annoyance, is it one that the public at large under the name of the City of Traverse City, can prohibit under the guise of regulation under pain of



A number of decisions of the United States Supreme Court were cited to show that the sale of religious literature does not fall into the category of ordinary peddling. In the sale of books and papers, both freedom of religion and freedom of the press might be involved.

C. Carey

prosecution and penalty? Or is the annoyance, if it be one, the subject of redress by the individual? If the annoyance of being called to the door by a caller such as the defendants in this case, is a nuisance, is it such that the public at large in Traverse City is affected, so that it may be classified as a public nuisance? If it is a private nuisance, then I do not believe the city has any authority, to prosecute the individual under a penal ordinance.

"The record shows that in each home where the defendants called, they spoke of the religious literature they were distributing, and the religious books they were offering for sale. I have for consideration, therefore, the simple issues as above stated for decision. There is no claim that the defendants committed any unlawful act during solicitation, other than making the solicitation. The issue may be boiled down to the constitutionality of an ordinance which, as construed and applied, requires religious colporteurs to be invited upon private property by the owner or occupier thereof, before he may enter upon the property, and distribute religious tracts or books, or sell the same.

"It is not doubted or questioned that the state has given Traverse City, by statute, the power to declare what shall constitute a nuisance, to abate and prevent the same, and to inflict punishment on violators, but a nuisance within the terms and spirit of the statute must be established.

"The First Amendment, which the Fourteenth makes applicable to the states, declares:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press****"

"I have heretofore quoted some of the testimony of the defendants which shows the type of work they were doing when arrested, and I shall not repeat it, but will add the words of one of the defendants when he said 'This canvassing from door to door is the highest form of missionary work****'"

Judge Campbell pointed out that courts have had difficulty in properly deciding cases involving ordinances like the one under which the Adventist colporteurs had been arrested, but said:

"I believe, however, a difference and distinction can be found in the facts in the case at bar, so that some of the law applicable to the state of facts in the reported cases may be used, consolidated, and applied to the undisputed facts in this case and a correct decision made.

"In the *Green River v. Fuller Brush Company* case, reported in 65 Fed. (2nd.) 112-88 A.L.R. 177, the applicable portion of the ordinance therein involved, is almost identical with the ordinance here involved. In that case the ordinance provided:

"The practice of going in and upon private residences in the Town of Green River, Wyoming, by

solicitors, peddlers, hawkers, itinerant merchants and transient vendors of merchandise, not having been requested or invited so to do by the owner or owners, occupant or occupants of said private residences, for the purpose of soliciting orders for the sale of goods, wares, and merchandise, and/or for the purpose of disposing of and/or peddling or hawking the same, is hereby declared to be a nuisance, and punishable as such nuisance as a misdemeanor."

"The claimed violation was by a representative of the Fuller Brush Company going, uninvited, from house to house soliciting orders for goods, such as were sold by his employer.

"The Fuller Brush Company filed its bill of complaint to enjoin the Town of Green River from enforcing or attempting to enforce its ordinance as above quoted. The United States District Court entered a decree permanently enjoining the town from so doing. From this decree the town appealed to the United States Circuit Court of Appeals, Tenth Circuit. The Fuller Brush Company relied on the Fourteenth Amendment of the United States Constitution, which provides, amongst other things:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

"The religious element was not involved in the case. The court held, but not the reason for the decision, that a court of equity had no jurisdiction of the case. The decision was on the issue of whether or not the ordinance was a valid exercise of the power of the town. And it held that it was.

"The rule established in the above case is not controlling in the case at bar."

Judge Campbell cited a number of decisions of the United States Supreme Court to show that the sale of religious literature does not fall into the category of ordinary peddling. In the sale of books and papers, both freedom of religion and freedom of the press might be involved. Most of the cases to which he referred have been mentioned in *LIBERTY* in the past, and it is not necessary to quote from them all. Judge Campbell particularly stressed the following from the *Murdock v. Pennsylvania* case:

"Petitioners spread their interpretation of the Bible and their religious beliefs largely through the hand distribution of literature by full or part time workers. They claim to follow the example of Paul, teaching 'publicly, and from house to house.' Acts 20:20. They take literally the mandate of the Scriptures, 'Go ye into all the world, and preach the gospel to every creature.' Mark 16:15. In doing so they believe that they are obeying a commandment of God.

"The hand distribution of religious tracts is an age-old form of missionary evangelism—as old as the

history of printing presses. It has been a potent force in various religious movements down through the years. This form of evangelism is utilized today on a large scale by various religious sects whose colporteurs carry the Gospel to thousands upon thousands of homes and seek through personal visitations to win adherents to their faith. It is more than preaching; it is more than distribution of religious literature. It is a combination of both. Its purpose is as evangelical as the revival meeting. This form of religious activity occupies the same high estate under the First Amendment as do worship in the churches and preaching from the pulpits.'***

"The constitutional rights of those spreading their religious beliefs through the spoken and printed word are not to be gauged by standards governing retailers or wholesalers of books. The right to use the press for expressing one's views is not to be measured by the protection afforded commercial handbills. It should be remembered that the pamphlets of Thomas Paine were not distributed free of charge. It is plain that a religious organization needs funds to remain a going concern. But an itinerant evangelist, however misguided or intolerant he may be, does not become

a mere book agent by selling the Bible or religious tracts to help defray his expenses or to sustain him.'"

The opinion quoted led Judge Campbell to say in conclusion:

"The Supreme Court recognized that a problem of difficulty exists in these types of cases in drawing a true line between a purely commercial activity and a religious one. However, the *Murdock* case is so nearly like the case at bar that I can not help believing we should follow the rule therein stated.

"In view of my conclusions, as above expressed, it will serve no useful purpose to merely vacate the judgments of conviction in each of these cases, and grant the defendants new trials, as the ordinance as to them, under the facts in this case, is invalid and unconstitutional."

A hearty commendation for Judge Campbell. He is a worthy representative of our judiciary, and we salute him. It is not easy for most men to acknowledge that they have been mistaken, but Judge Campbell, in view of new facts, reversed his former opinion, and did it completely and graciously. We fear that too few people always remember that our courts are the last protection of our liberties.

Shall We Tax Church Properties?

By **HEBER H. VOTAW**



THE QUESTION OF THE TAXATION OF CHURCH PROPERTY, whether it be the building used for divine services, the parsonage to house the pastor, the necessary office buildings for a diocese or a conference, printing plants for the production of church literature, the necessary ground and buildings for educational purposes, whether on the elementary, secondary, college, or seminary level, has been receiving notice and considerable comment in the last few months. Besides the activities which have quite generally been looked upon as an integral part of the local congregation, or of a denomination, some church bodies have gone into commercial businesses. Tax exemption for them has been generally criticized. We think that the notice given in various papers to the secular businesses carried on by churches has turned attention to all their monetary affairs.

The facts which follow have been taken from newspapers and *Religious News Service* reports:

November 17, 1950: "Murray, Ky.—The General Association of Baptists in Kentucky went on record here as opposing tax exemptions for church-owned property used for commercial purposes.

THIRD QUARTER

"It took the action at its 113th annual meeting.

"In adopting a report submitted by its committee on taxation of church property, the Association stated:

"Baptists believe it is wrong for religious groups to own or operate properties or businesses on a tax-free basis in competition with similar properties or businesses which must bear their full share of the tax burden."

"The Association emphasized that its statement was not aimed at any one denomination but embraces Baptist and 'all religious groups.'

"Dr. Robert E. Humphreys, Owensboro, chairman of the church-property-taxation committee, prefaced the reading of the statement with this comment:

"Churches of various sects have been going into private business—some operating laundries and serv-

ice stations—and enjoying tax exemptions on the properties.’

“If such practices are not halted, the government may arbitrarily step in and do something. We must act to safeguard the tax exemptions for all true church property.’

“In its action the Association said that the right of religious groups to preach separation of Church and State depends first on the practice of it, and ‘Baptists will welcome and assist in obtaining reforms which will correct existing abuses to the tax-exemption privileges.’

“The Association also adopted a report declaring there are three great dangers threatening the country’s moral fiber: ‘Moral corruption within the governing bodies, such as buying and selling of votes; the alcoholic-beverage business, and the gambling busi-

ness, of which the most popular form is that ‘promoted through some church organization.’”

February 12, 1951: “Helena, Mont.—Religious groups which operate profit-making properties, and all cooperatives, would be made subject to state corporate income taxes under the terms of a bill introduced in the Montana legislature.”

March 7, 1951: “Boston.—The Massachusetts House has refused to exempt church suppers from the 5 per cent meals tax—or to increase exemption on meals up to \$1.50.

“At present all restaurant meals costing one dollar or more are subject to the tax.

“Rep. Philip A. Chapman (D.-Boston) said that the tax was ‘originally known as a luxury tax’ but ‘isn’t nowadays.’

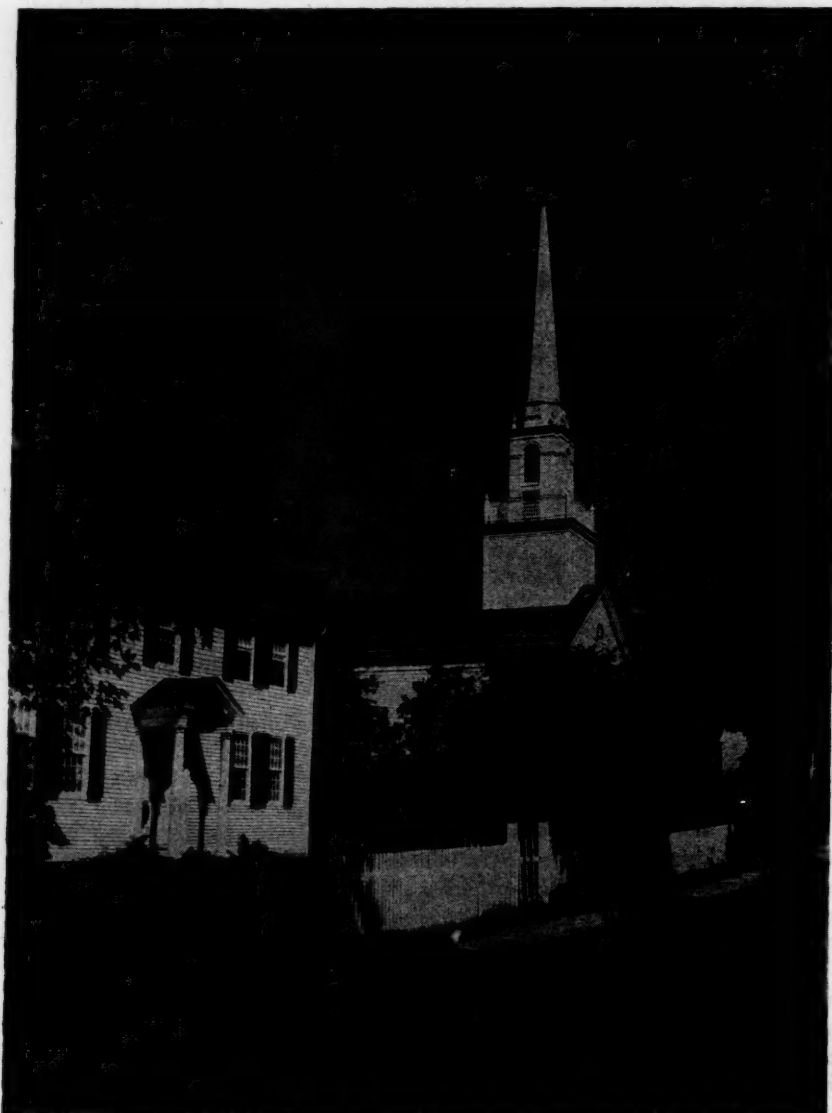
“‘You can’t get a decent meal today for less than \$1.50 or \$2,’ he said.

“Rep. Francis W. Lindstrom (R.-Cambridge) replied that taxing only meals of \$1.50 and over would cost the state \$2,500,000 in lost revenue.

“‘It isn’t the workingman who is being caught by the tax,’ he claimed. ‘It’s the fellow who can afford it.’

“An attempt to exempt church suppers held for charity was defeated after Rep. John F. Thompson (D.-Ludlow) told his colleagues, ‘Anyone with charity in his heart is not going to quibble over an additional five, six or seven cents.’”

March 13, 1951: “Denver.—A potential threat to the survival of private educational and charitable institutions in Colorado was seen by the *Denver Catholic Register* in a General Assembly resolution calling for a committee to study the tax-exempt status of such institutions.



John Strang

Tax exemptions for commercial enterprises owned and operated by religious organizations in competition to similar businesses run by nonchurch groups have been called in question.

"The resolution, which was passed by both the House and the Senate, provides for the appointment of an investigating committee of nine members from the two chambers. It specifies that the committee will 'study, review, and compile facts' concerning 'any persons, group of persons, associating organizations, or other entities who or which are presently exempt from certain types of taxation under the laws and constitution of this state.'

"The resolution asks that the committee report its findings to the General Assembly in January, 1952.

"In a lead editorial, the *Register* noted that 'the committee has full power to investigate tax-exempt groups, including hospitals, fraternal organizations, child-caring institutions, homes for the aged, orphanages, and other educational institutions.'

"The committee will study, with the possibility of taxation in mind,' the *Register* said, 'all these institutions. And many such institutions, operating as they do with border-line budgets, even with personnel who work not for pay but out of charity, could not stand taxation if it were levied on them. The committee's work will be the first step toward such levies.

"The too-broad language of the resolution thus gives the committee a scope of action probably not intended and goes beyond the specific issue that brought about the establishment of the committee, the taxing of cooperatives.'

"The editorial called attention to the 1936 state election in which the people of Colorado passed by a vote of 227,000 to 111,000 a constitutional amendment making the personal property of these institutions tax free."

March 19, 1951: "Salt Lake City, Utah.—For the third time in a month, the Salt Lake County commission ruled against the Church of Jesus Christ of Latter-Day Saints (Mormon) on its request to label certain Church-owned buildings as tax free.

"In a formal letter from the commission, the presiding bishop of the Church was told that under Utah law all personal property must be taxed even though it is owned by a church or charitable organization.

"The commission said its action was based on a recent ruling by the Utah Attorney General.

"The Mormon property in question comprises warehouses not exclusively used for church purposes."

March 21, 1951: "Miami, Florida.—Attorney General Richard W. Ervin has ruled that unless vacant property owned by a church is used for religious purposes, it is not entitled to tax exemption."

March 22, 1951: "Augusta, Me.—Governor Frederick G. Payne signed into Maine law a bill exempting parsonages from property taxation up to \$6,000 valuation."

March 27, 1951: "Toledo, Ohio.—A church must be an institution 'only for public charity' if a be-

The Fruit of Indifference

"Where a principle is at issue, those who weakly watch and offer no assistance to either side have no part with the valiant—no part either with the victor or the vanquished. They are victims of their own evasion—not quite daring to do right, nor quite wanting to do wrong. To be indifferent to error or to any evil is to give great comfort and encouragement to error and evil. And in such circumstances, indifference is not neutrality. In such circumstances, indifference is an active evil."

—Richard L. Evans.

quest to it 'for purposes of public charity' is to be tax-exempt, the Sixth District Court of Appeals here has held.

"The court, acting on an appeal by the state division of inheritance tax from an earlier Probate Court decision, ruled that the money was subject to the Ohio inheritance tax. The decision by the three appellate judges was unanimous.

"A gross estate of \$38,386 had been left by Mrs. Dora B. Salisbury, Toledo, to the endowment fund of the First Congregational church, the Y.W.C.A., and the Toledo Society for Crippled Children. An attorney for the estate contended that the \$6,270 bequest to the church should be exempt from taxation.

"In disagreeing, the appellate court stated that the ordinary use of the word 'charitable' is not limited to 'public charity.'"

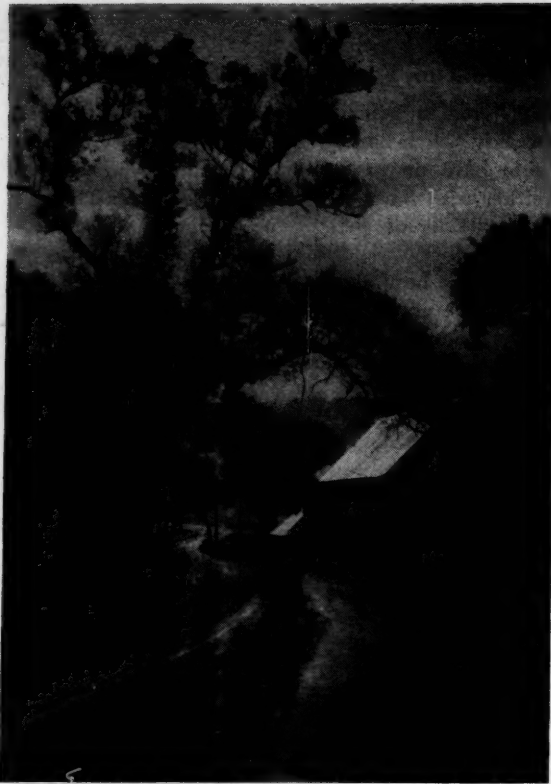
March 28, 1951: "Dartmouth, N.S.—An application to exempt St. Paul's Roman Catholic parish school here from local taxation was rejected by the town solicitor and the town council's finance committee.

"The application was submitted by Father H. J. Neary, pastor of St. Paul's parish, who contended that under prevailing conditions Dartmouth Catholics are being forced to assume a double school tax load.

"In turning down the priest's application, town solicitor W. Baras cited an adverse ruling by the provincial supreme court in a similar case involving St. Peter's Catholic school in Dartmouth.

"Objection to the rejection of Father Neary's application was voiced by E. M. Beazley, only Catholic member of the town council, who said that 'the rights of the minority here are being grossly overlooked.'"

March 28, 1951: "Stroudsburg, Pa.—The Pinebrook Foundation, Inc., which operates three religious camps in Monroe County, has begun court proceed-



G. Anderson From A. Devaney

FREEDOMS

By George C. Hoskin

Freedom His love to comprehend,
Freedom from dangers lurking near,
Freedom to know He will befriend,
These are the Freedoms to endear.

Freedom from sorrow, pain, and tears,
Freedom from hunger, thirst, distress,
Freedom from sin that blights the years,
These are the Freedoms to possess.

Freedom from gossips that berate,
Freedom from trends to criticize,
Freedom from covetousness and hate,
These are the Freedoms I would prize.

Freedom His favors to express,
Freedom His greatness to adore,
Freedom His mercy to confess,
These are the Freedoms to explore.

ings here to be exempted from paying taxes on the camps.

"The Rev. Percy Crawford, operator of the camps since 1933 and president of the foundation, contends that his organization is a nonprofit corporation devoted to religion and therefore exempt from taxation the same as churches and church schools.

"He received bills for \$857.85 for 1948 taxes and \$921.06 for 1949 taxes, which he refused to pay.

"Questioned by Presiding Judge Fred W. Davis, the minister said that the corporation has no stockholders, and he, his wife, and his mother-in-law are the directors.

"Last summer the three camps had 6,000 boys, Mr. Crawford said. Each paid \$15 a week in fees with the exception of 25 or 30 accepted without charge by the foundation. Asked whether all the land in the camps is needed for religious purposes, Mr. Crawford replied in the affirmative, saying the land is used for farming and hiking as part of a religious program. Hikes and other outdoor activities increase Jesus' stature with the boys, he said."

April 3, 1951: "Washington, D.C.—Fees and other charges made by church-affiliated schools and hospitals were removed from price control by Price Administrator Michael V. DiSalle.

"Officials of the Office of Price Stabilization said that the order would apply to tuition charged by parochial schools, as well as to college tuition and fees. All charges made by hospitals are exempted from control by the order.

"In issuing the order, Mr. DiSalle said that 90 per cent of the private schools and hospitals in the nation are operated on a nonprofit basis. He also called attention to the difficulty which would be encountered in attempting to control fees and charges for various professional services.

"'With respect to the services rendered by educational institutions,' a statement accompanying the order declared, 'public school systems generally are able to provide adequate and necessary educational services in consequence of which the rates, fees, charges, and compensation charged by private schools have less direct effect upon the cost of living.'

"The statement added that many hospitals are finding it necessary to increase fees in order to provide adequate care for the ill and injured, and that many private schools and colleges are finding it necessary to increase their charges in order to avoid a deficit."

April 5, 1951: "Atlanta, Georgia.—Religious publications are exempted from Georgia's new 3 per cent sales tax.

"Governor Talmadge, by executive order, directed the suspension of the sales tax on religious papers in

LIBERTY, 1951

Georgia owned and operated by any religious institution or denomination for its exclusive benefit.

"The suspension will be in effect until the next session of the General Assembly.

"Governor Talmadge said the principal beneficiaries under his order would be the *Christian Index*, a Southern Baptist publication; and the Methodist Wesleyan Advocate."

April 16, 1951: "Edmonton, Alberta.—Bills were passed by the Alberta Legislature granting municipal tax exemption to properties owned by two religious groups.

"One bill exempted the buildings and immediate site of the Canadian Union College, located on a farm near Lacombe owned by the Seventh-day Adventist Church. The exemption was restricted to the portion of the property used for educational purposes, or 35 acres of the 1,600 owned by the Church.

"Another bill exempted property of the Mennonite Education Society of Alberta, whose center is at Taber in Southern Alberta."

A measure in California aroused some lively discussions. On one side, "Assemblyman Laughlin Waters of Los Angeles, author of the bills, said the exemption will mean a tax loss of only \$600,000 a year. At present, he said, private and religious schools are saving the state about \$42,000,000 a year. This assemblyman among other things in his argument said, "Proponents of the measure warned that some 250,000 pupils now educated in religious schools—mostly Roman Catholic—may be dumped on the state's public school system unless private schools get tax relief."

The opposition seemed to be divided into two classes. The California Real Estate Association "opposed the bill on the broad grounds that it was opposed to exemptions which reduced the tax base of the counties." Another group was opposed to the idea of giving state funds for any religious organization.

March 19, 1951: "Houston, Tex.—Houston's city council has voted an ordinance permitting clergymen to play golf on the city's courses for a special \$5 annual fee.

"The ordinance was passed after one councilman said he had received complaints about new fees for the courses from clergymen.

"Houstonians are permitted to use the city-owned courses for 75 cents on weekdays and \$1 on Sundays.

"Councilman Phil Hamburger, who proposed the fee ordinance for clergymen, said: 'A lot of ministers don't have any money.'"

The powerful voice of *The Christian Century* is generally quick to protest against tax exemption for religious organizations. While not bearing directly

upon tax exemption, the following editorial from *The Christian Century* is significant:

"By formal action of its city council, Houston, Texas, has passed an ordinance permitting clergymen to play golf on municipally owned golf courses for a special \$5 annual fee. Other Houstonians will pay 75 cents on weekdays and \$1 on Sundays when they want to play golf. The ordinance providing the special privilege for ministers was passed after councilmen received protests from some of the city's wearers of the cloth. Supporting the proposal, one councilman said, 'A lot of ministers don't have any money.' Perhaps the preachers of Houston are underpaid, but we doubt it. It is possible that golf is a necessity they cannot otherwise afford, but their appearance in this case as seekers for petty special privilege does their cause no good. Certainly there are tens of thousands of Houstonians who do not make as much as the ministers of that city do. Why should not they be given reduced green fees? Would it not have been better for the clergymen to urge that reduced rates be given all who could not afford the present fee? Or that the fee be further reduced so that a larger number of persons might enjoy the privilege? We know of another city where one of the most important matters on the ministerial association's agenda year after year is the devising of methods to scrounge annual passes to baseball games. Is it surprising that when ministers take this view of the dignity of their calling people generally find it difficult to give it the respect to which it is entitled? Passes and discounts and exemptions actually add little to the minister's total income, but even if they added a great deal, it would still be a question whether they should be accepted, to say nothing of being solicited. The minister is a minister, not a mendicant or a seeker after petty handouts."



Shall Christians Support the Christian Amendment to the Federal Constitution?

By **JOSEPH M. DAWSON**

Executive Director, Baptist Joint Committee on Public Affairs

A CHRISTIAN AMENDMENT RESOLUTION (S.J.Res. 29) was introduced in the Senate by Ralph F. Flanders of Vermont, followed by an identical bill (H.J.Res. 156) in the House. This amendment specified that "this Nation devoutly recognizes the authority and the law of Jesus Christ, Saviour and Ruler of nations, through Whom are bestowed the blessings of Almighty God."

Immediately the Jews, numbering many millions in the Nation, raised strenuous objections. Other groups called attention to the language of the First Amendment which specifies that "Congress shall make no law respecting an establishment of religion." The Resolutions are the outgrowth of a lobbying effort put forth by the Christian Amendment Party. The good people composing this zealous party have contributed large sums of money for the creation of literature propagandizing their movement. They have worked diligently to enlist the interest of this office. We have never seen fit to endorse the movement,

because we think it is contrary to the First Amendment.

We cannot imagine that it is possible to Christianize this Nation by means of legal enactment and use of police force. We should deplore the effect upon national unity that serious consideration of such bills might produce. Repeated efforts have been made along this line in the past, only to fail, because a full examination of the proposal will reveal that it does not comport with the American principle of separation of church and state. It will be noted, therefore, that this Amendment seeks to undo what the founders of this Republic, considering well in the First Amendment, provided Congress must never do—"make any law respecting the establishment of religion." The proposed amendment, though a pious gesture, is a mistaken one in our judgment, for while all Christians are earnestly concerned to make the Nation Christian, we can only agree to do so through spiritual means.

EDITORIALS

Great Britain Votes Against Sneaking

NO ONE LIKES A SNEAK except a few miserable creatures who gain information or advantages



by having sneaking informers around. In the so-called age of chivalry England's debt-ridden King Edward III (1312-77) took a dim view of black marketing and encouraged his subjects to become informers against such a practice. Edward's Parliament passed a law allowing anyone who successfully sued a black marketeer a part of the culprit's fine. This seemed to be a good plan, and of course the public were in harmony with any program to fight black marketing. But this was not the end.

"Down the centuries 42 additional acts under which private persons might bring an action and collect the fine money were passed. People who went in for this were officially called common informers. Although branded 'viperous vermin' by James I's Lord Chief Justice Sir Edward Coke, and dubbed 'that legal cad' by *Punch*, the common informer prospered. His most fruitful law: the Sunday Observance Act

of 1780. Actions against the promoters of Sunday wrestling matches have produced fines as high as \$4,000. A woman collected \$14,000 after suing the owners of a movie theater which put on a Sunday program." (See *Time*, Feb. 19, 1951.)

There was one fellow who went by the name of Le Touzel, who became a celebrated informer against all violators of the Sunday law. Le Touzel brought more than two hundred suits and fought tooth and nail to win. In one case he fought fourteen lawyers for the defense. Le Touzel admitted that he did not care about what people did on Sunday, but was interested only in the revenue that he gained.

There are people today who are informers against those who violate Sunday blue laws. They are usually not paid for doing it, but do so because of religious prejudice. There are also some business organizations that object to other business establishments opening on Sunday for fear they will gain a little more business, and so they inform the authorities that they must prosecute under the Sunday closing law.

We wish that America and all other countries would do what the British House of Commons did recently when they, "without a dissenting voice, approved second reading of a bill to abolish the common informer. Said M.P. Major Edward Legge-Bourke: 'In these times, when, under certain regimes in other countries, neighbors inform on neighbors—in fact it is almost their duty to do so—this bill is a sign of the fact that we detest all that form of sneaking.'

"Said Le Touzel: 'I'm finished.'"—*Ibid.*

S. C. H.

Miami Learns About Sunday Laws the Hard Way

EVERYTHING IN MIAMI, Florida, was quite normal until recently, when a self-styled reformer by the name of Ellis Chism began a crusade under the auspices of the Civic Righteous Committee against the violators of Florida's Sunday blue law.

Very little was known about the existence of this ancient law in Miami until this publicity-hungry individual volunteered to prosecute all those who were unwittingly violating it. This blue law came into existence in 1832, shortly after the purchase of Florida from Spain.

Pockets bulging with warrants, Chism suddenly swooped down upon the retail merchants of Miami, causing them to be harassed and embarrassed by being hauled into court like common criminals, all because of a fanatical whim to enforce an un-American antique religious law.

Under the provisions of this old law a person could buy a fish or a steak, get a haircut, see a motion picture or a baseball game, take part in a skeet



or trap shoot, go hunting, buy a newspaper, get a drink of liquor or a bottle of beer, which are especially exempt by law; but he could not buy any groceries, gasoline for his car, or an ice cream soda.

How ridiculous it seems that although one could go to the movies, ball games, on a hunting trip, or buy liquor, such a one would be a criminal if he should purchase or sell a bottle of milk for the baby or a loaf of bread for dinner.

Miami has been aroused. Many businessmen have received stiff fines. This city has learned the hard way about an unfair and unreasonable, out-dated law that ought to have been repealed years ago. The matter has now gone to the Florida State legislature, with an urgent request that the law be either repealed or greatly modified.

A number of Florida ministers have now organized to bring pressure to bear upon legislative authorities to bring about a new and more up-to-date Sunday law.

We believe that it would be better to repeal the old law and let it go at that. Religious laws are never good; they only result in persecution. The same thing that has happened in Miami has happened in other places when individuals have taken it upon themselves, as did Ellis Chism, to revive the ancient Sunday blue laws on the statute books of their States. Such laws are in direct opposition to the American principle of the separation of church and state. They are religious laws that endeavor to coerce men into the keeping of a certain day. The best thing to do with them is to repeal them. S. C. H.

Should Good Friday Be Made a Legal Holiday?

THE REVEREND WILLIAM PRATT, pastor of Pilgrim Congregational church, Pomona, California, introduced a resolution into the Los Angeles Association of Congregational Churches recently. Among other things, Mr. Pratt expressed his feeling that Good Friday should be made a legal holiday, particularly for the benefit of large numbers of Roman Catholics in public schools. Pratt would like to see this take place in the State of California.

At the same time that the Congregational churches were making their proposal in Los Angeles, a movement was launched in Detroit, Michigan, by the Association of Catholic Trade Unionists to make Good Friday a State holiday in the State of Michigan.

The Wage Earner, a publication of the Detroit Association of Catholic Trade Unionists, said in an editorial:

"Michigan, whose millions of workers contribute many hours of labor throughout the year in building tools of war, should wait no longer in giving Good Friday the same state dignity given other commemorative days.

"Labor unions could well take the lead in requesting such action because the strength of the trade-union movement lies in the very concept of love for one's brother, one of the great principles taught by the Christ who died on the Cross that all men might be saved."

We might add that the same Christ who died on the cross that all men might be saved, died that all men might be free. This same Christ taught a clear distinction between the church and the state when He said, "Render unto Caesar the things which are Caesar's; and unto God the things that are God's." Christ never wished for the state authorities to legislate religious laws. Such laws do not engender brotherly love, but rather strife, persecution, and animosity.

The state has no right, under the American form of government, to intermeddle into the affairs of religion. Neither has religion the right to intermeddle into the affairs of the state.

Upon the same day that these two programs were launched for a Good Friday holiday, the North Carolina House of Representatives killed a bill which would have made Good Friday a legal holiday in that State. North Carolina is to be commended for keeping religion out of its State laws in this fashion.

Surely Americans do not want their States to legislate in the realm of religion. Let's keep the church and state entirely separate. s. c. n.

Churchmen and "Point IV"

A GROUP OF CHURCHMEN met in April in Buck Hill Falls, Pennsylvania, under the auspices of "the Department of International Justice and Goodwill and the Division of Foreign Missions of the National Council of Churches." The work of this group was to try to shape the "church strategy in regard to the Point IV and other technical assistance programs" of the Federal Government. Readers will remember that what is called the Point IV program was first introduced and strongly stressed by President Truman in his inaugural address in 1949. The Christian leaders at Buck Hill Falls evidently felt some doubt about proper procedure at least. Dr. John

C. Bennett, of the Union Theological Seminary, New York, is reported to have said that "a difference of motives should not bar cooperation between Church and State in their common task of aiding underdeveloped countries." However, Dr. Bennett believed that the Point IV program should not be administered in a way that would leave an impression on other countries that it is a method of extending



The Point IV program seeks to provide economic aid and technical assistance to backward countries.

American capitalism, because in parts of both Europe and Asia capitalism is not looked upon with favor. Some others were in general agreement with Dr. Bennett.

On the other side Dr. Fu Liang Chang, former executive secretary of the National Christian Council of China, felt that the churches should maintain their "independence of action" by developing their own foreign assistance program."

Dr. John W. Decker, secretary of the International Missionary Council, thought that the churches could cooperate with the Government, but evidently had some doubt in his mind about how it should be done. He is reported to have advised that missions generally should not "accept money 'or its material equivalent' from the U.S. government." If money could be furnished from the United Nations, Dr. Becker would not object.

Point IV, regardless of its good aspects, is looked upon by millions of people in this country as being tarred with a political party label. Other millions, who are generally favorable to the idea of seeking to help other nations develop their resources and increase their wealth, think the Point IV program is unsound economically. We have only one fear about churches entering into the spending of United States money in foreign lands, and that is that missionaries may come to be regarded as agents of the Government rather than ambassadors for God. C. S. L.

The Church's Warfare: Spiritual Combat With Spiritual Weapons

SOME TIME AGO *The Commonwealth* referred to an article that had appeared originally in a Catholic paper in England, called *Month*, and gave what

The Commonweal called "the concluding paragraphs."

We believe there are statements in these paragraphs that contain truths to which all lovers of liberty will subscribe. Protestants may question some of the things said, but personally we welcome such statements as are here found from a Catholic author.

"Religious freedom has its dangers, as history shows, but it has advantages which deserve consideration. To approve of religious freedom means to take the militant Church seriously, in the way her divine Founder foretold. The Church on earth is not the triumphant Church, with her faith unattacked and her rights sacred; she is a militant Church, continually beset by enemies (John 15:20). A Church which is carefully sheltered by the State against the blasts of criticism hardly corresponds with the picture which Christ sketched.

"Moreover, Pius X says that people 'grievously err who imagine or hope for a completely undisturbed condition for the Church, in which everything happens as they want, no one resists the Church's authority, and they themselves can enjoy leisure and comfort.' The Catholic who is always asking for special protection and privileges from the State gives the impression that he is too lazy to overcome his enemies by himself.

"Use of force weakens the powers of the spirit; dispensing with it spurs them on. Indeed, we can ask whether, human nature being what it is, the Church would benefit if she were free from all attack. St. Ignatius prayed that his Order should always have

the Catholic atmosphere; even the ether waves bring the attacks on our faith. To escape them we should have to leave the world altogether (1 Cor. 5:10). The old means of defense are no longer adequate: we must go out into spiritual combat.

"Spiritual combat with spiritual weapons is clearly a high ideal: though the ideal is never fully realized, it is worth striving for. Certainly, in comparison with past ages, the present generation has no reason to boast; for we have experienced in our enlightened century religious persecutions which make the inquisition seem mild by comparison.

"All Christendom today is threatened with attack. In this critical hour it is the preemptory duty of all Christians to unite in defense. To do so the Christian Churches must renounce the use of force and oppression and decide spiritual matters with spiritual weapons. That means that they must not only claim freedom of religion for themselves, but guarantee it to others as well."

H. H. V.

Sunday Law Case in Little Rock, Arkansas

MR. H. V. HICKINBOTHAM operates a small "general retail store" in Little Rock, Arkansas. The term "general" fits the store perfectly, but how it can be called "small" with as much stuff as it sells is hard to understand, for it is reported that Mr. Hickinbotham "offers . . . among other things, books, stationery, magazines, drugs, dry goods, notions, ice cream, candies, groceries, meats, tobaccos, sporting goods, cosmetics, toilet articles, automobile accessories, fuel oils such as coal oil and kerosene, and various and other sundry articles," for sale.

Mr. Hickinbotham has had his present place of business open on Sunday for thirty years. It is at present carried on largely by him, his son, and his mother. Apparently, he has not been disturbed for doing business on Sunday in all this time. However, recently he has been arrested each week for three successive weeks for having his store open on Sunday.

It has been the custom and practice for a large number of other store owners to operate their businesses seven days a week also. These include filling stations, drugstores, bakeries, grocery stores, restaurants, ice cream parlors, et cetera.

Since Mr. Hickinbotham's arrests, he has advised the civil officers that he is "ready and willing to close his business on Sunday . . . if and when he receives the same treatment as a citizen and taxpayer as those engaged in like businesses as himself." All he seems to want is to make sure that all other "offenders are required to comply with the same law." He holds that any other business which "retails to the general public the same articles that he sells from his said place of business," are in the same position he is in.



Schoenfeld Col.—Three Lions

Saint Augustine, a church bishop of the fourth and fifth centuries.

to suffer persecution. And Saint Augustine has said in forthright terms that heretics prevent the militant Church's becoming a sleeping Church. When there is free competition between religious bodies, the Church is more zealous in looking after souls. Saint Thomas could speak of the simple faithful whose faith is firm because they have never heard views different from those they have been taught, but today such people are growing rare. We no longer breathe

THIRD QUARTER

In other words, he wants no discrimination. He simply asks that if the law is to be enforced, it should be enforced impartially.

The city Sunday ordinance under which city officials first attempted to arrest Mr. Hickinbotham was declared unconstitutional, so they then proceeded to arrest him under an old Arkansas blue law, passed more than half a century ago (March 2, 1885), which reads:

"Every person who shall, on Sunday, keep open any store or retail any goods, wares and merchandise, or keep open any dram shop or grocery, or who shall keep the doors of the same so as to afford ingress or egress, or retail or sell any spirits or wine, shall, on conviction thereof, be fined in any sum not less than twenty-five (\$25.00) dollars, nor more than one hundred dollars (\$100.00)."

The provisions of the Arkansas Constitution upon which Mr. Hickinbotham relies for relief in this case are: Section 3, Article 2: "The equality of all persons before the law is recognized and shall ever remain inviolate." And Section 18, Article 2: "The General Assembly shall not grant to any citizen or class of citizens privileges or immunities which upon the same terms shall not equally belong to all citizens."

To protect his interests, Mr. Hickinbotham is seeking an injunction in the Chancery Court of Pulaski County, Arkansas, which will require similar businesses, of which there are scores, to close on Sunday.

Mr. Hickinbotham is making no plea on the basis of religious scruples, for he keeps his store open seven days a week, but he feels that it is his constitutional right to operate his store when he chooses so long as he does not interfere with the equal rights of others. He has stated that he is not opposed to a one-day-of-rest-in-seven law, but wants each individual to be left free to choose for himself what day he will close. He declares his belief in religion, but does not want anyone to decide about his religion for him.

A. W. J.

Religious Liberty Sentiment in Egypt

The World Christian Digest of London in its issue of March, 1951, has this item:

"For some time the various Church bodies in Egypt have been seeking representation on the State radio network. Unexpected support has been given them by one of the leading Mohammedan journalists, who writes:



U. & U.

A bit of old Egypt.

"The fact that Islam is the State religion in Egypt is no reason to ban Christian programmes over the radio. Our radio station belongs to the State, and the State does not belong to the Moslems alone, but to the Christian Egyptians and Egyptianized Christians as well."

"It is refreshing to find this voice raised in defence of complete religious liberty in Egypt."

We agree wholeheartedly with the editor of the *World Christian Digest* that it is refreshing to find such a clear statement in defense of religious liberty by a Mohammedan journalist. It seems easy for the natural man to feel that he is right, and that he holds the truth in his beliefs and that there belongs to him certain rights that others cannot claim. This feeling is not confined to Mohammedan countries by any means. Manifestations of it are seen all too frequently among professed Christians. We use the adjective "professed" because the real Christian can never deny to others what he asks for himself.

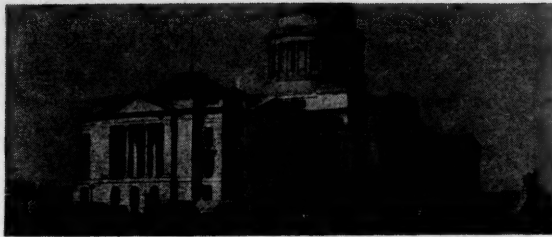
H. H. V.

Arkansas May Not Appropriate Money to a Sectarian Institution

IN LIBERTY, first quarter, 1950 an account was given of a suit brought by F. B. Garrett against the State Auditor and State Treasurer of Arkansas to prevent the payment of \$50,000 which had been voted by the Arkansas legislature to the College of the Ozarks, located at Clarksville, Arkansas, to assist in the operation of a school of pharmacy. Mr. Garrett charged that since the College of the Ozarks is a sectarian institution, such an appropriation could not be made under the Arkansas Constitution. The Pulaski Chancery Court, in which the suit was filed, "considered, ordered, adjudged, and decreed" that the action of the General Assembly in appropriating this money was invalid and void and the court permanently "restrained and enjoined" the defendants from "issuing or cashing any warrants issued or presented under or by virtue of the provisions" of the act appropriating the money to the school of the Ozarks. The defendants appealed to the Supreme Court of the State of Arkansas. On February 19 last that court said, "the decree of [the Pulaski Chancery Court] must be affirmed, and it is so ordered."

We have seen newspaper reports to the effect that Arkansas will operate a State school of pharmacy.

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The State Capitol of Arkansas.

Mr. Garrett is to be commended for undertaking this suit. Doubtless it made him unpopular in certain quarters, but his contention that public funds should not be appropriated to sectarian institutions is based upon sound American precedent and principle.

C. S. L.

U.S. Supreme Court Refuses to Test New York Sunday Law

THE CASE OF *New York v. Sam Friedman and Sam Praska*, involving two Orthodox Jews arrested for selling fresh meat on Sunday in New York City in violation of a State Sunday law, which had been appealed to the Supreme Court of the United States, was recently dismissed by that body without argument because there was lack of a Federal question being involved.

This means that the decision of the Court of Appeals of the State of New York, which is the highest court in New York, stands. That court upheld the constitutionality of the Sunday law and sustained the arrest of the parties concerned for selling uncooked meat on Sunday. The defendants in the case kept their place of business closed on Saturday, the Sabbath, for they were conscientious observers of the seventh day of the week.

A. W. J.

Catholic Editors Discuss the Nature of Freedom

The Commonweal is a Catholic paper of general circulation. *The Witness* is a Catholic diocesan paper published in Dubuque, Iowa. The first editorial in *The Commonweal* of March 2, 1951, quotes the following from *The Witness*, "The Constitution does not guarantee anybody any rights to do what is wrong. Freedom does not mean man has the right to do what is wrong. Freedom does not mean a man has the right to poison his fellowmen, nor does it mean he has a right to poison his mind," and comments thus, "He [*The Witness* editor] was discussing 'The Miracle' case, and that is what he wrote, just that, with no further distinctions between the Thomistic notion of the moral freedom of the individual and the civil liberty guaranteed by the Constitution. That kind of over-simplification, we submit, offers genuine reason for the fears of non-Cath-

olics. It is thoughtless and irresponsible, and we question how well it serves the truth of Catholicism."

LIBERTY's editor knows nothing about "The Miracle." It may be as bad as many Catholics think, and it may be as harmless as some of its sponsors declare. Apart from its merit, or lack of merit, the controversy it has aroused may cause some folk to think about a principle that is too often overlooked or forgotten nowadays. The editor of *The Commonweal*, talking to his fellow religionists, recognizes an eternal principle in these words, "When Catholics obey the voice of the Church, it is a free act; to pressure or force, even indirectly, others who do not believe, into the same kind of obedience is to ask for servility."

While the word "servility" describes a trait that freemen scorn, disdain, and despise, it is the mildest term that can be used to describe the effect of the use of pressure or force to coerce the conscience. "Force" used to compel obedience in matters pertaining to the soul can never make the strong or the brave obey. Force can only lead finally to hypocrisy or martyrdom. God grant that men of good will in this country pledge themselves to depend always upon the mighty power of education and persuasion. These furnish a solid foundation for character building.

H. H. V.

Vancouver, B.C., Catholics in Struggle Over Aid to Parochial Schools

IN APRIL the *Religious News Service* carried a long report from Vancouver, British Columbia, dealing with a situation that involved government aid to Catholic schools.

Two Roman Catholic schools in Coquitlam closed and sent their pupils to enroll in the public schools. This was done as a protest against what the Catholics considered to be "discrimination" by the provincial government in its treatment of parochial schools. Apparently there has been trouble over a long period of time about this matter, and it is said that British Columbia is different from all the other provinces of the Dominion in its relationship to the Catholic schools. Just before the Catholic schools were closed the head of the municipal government received a delegation from the Catholic school boards which gave him a telegram that was being sent to the British Columbia minister of education. This telegram charged that "grave injustices and penalties" had been inflicted. It was pointed out that over a half million dollars had been invested in the two Coquit-



lam Catholic schools and it was charged that the department of education "in order to continue its program of silent hostility will build new schools—a downright waste of public funds." In response to what the Catholic leaders said, the trustees of the public school system met and announced that there would be "adequate accommodation" for the Catholic children at the nearest public school. There was some hesitation on the part of Catholic parents to put their children in the public schools, but many did so, thus supporting their leaders in their determination to keep the parochial school closed until they received assistance from the government. It is easy to understand that when over seven hundred children that had been in parochial schools, enrolled in public schools, some problems must arise. However, fifteen extra teachers were hired and others were reported to be in reserve. The school board secretary announced that five public schools are now being built in Coquitlam.

A later report tells that the Catholic pupils in the public schools staged a one-day strike on April 23.

An attempt to bring the British Columbia minister of education into the dispute was blocked by the head of the Coquitlam municipal government. It seems that he has power under law to hold up any meeting of this sort for at least thirty days.

Another phase of this religious struggle appeared when most of the Catholic children were kept from their classes on Ascension Thursday—a church festival. On the eve of that day the chairman of the school boards, learning what was planned, announced that parents who kept their children out would be subject to prosecution. In Canada, as in the United States, Catholics are permitted to operate their own school system. We think this is just and fair, but we also think that such schools should not benefit from the public taxes. This feeling is in no wise prompted by prejudice. It seems to us that to take taxes of all the people for the support of any sectarian institution is unfair and unjust.

C. S. L.

Religious Garbs Banned in Public Schools

THE NEW MEXICO SCHOOL BOARD has ruled that teachers in public schools may no longer



wear religious garb while performing their duties as public school teachers. Nearly 150 nuns and brothers of the Catholic faith have been employed, and apparently can continue to be employed, as public school teachers in New Mexico, provided they do not wear their religious garb in state tax-supported schools.

The board further announced that "it will not rent school buildings from religious groups, except in 'exceptional circumstances.'" Our readers will remember that in 1948 a suit was filed and tried that is commonly referred to as the Dixon (N.M.) case. The plaintiffs charged that certain practices carried on in some New Mexico schools were out of harmony with the Constitution, and showed favoritism to the Roman Catholic Church through grants of State funds, the hiring of teachers who wore clerical garb in the classroom, and the renting of buildings owned by the Roman Catholic Church in which were various symbols of that church.

At that time clerical teachers were employed in thirty schools, but the number was reduced, and it seems that the recent action of the New Mexico school board will wipe out the practice entirely.

C. S. L.

Abusive Opposition

IT IS TO BE EXPECTED that a journal like *LIBERTY* will arouse some controversy. At least we get our full share of critical letters, and many of these are not only bitter but abusive. Up to this time we have been able to smile, and to wholeheartedly say the writer has a perfect right to believe what he pleases in matters of religion, and to practice his faith earnestly, so long as he does not interfere with the equal rights of others. It is a little surprising sometimes that those who are quick to call us bigots, seemingly do not hesitate to manifest all the traits of a bigot themselves.

Many of those who write in a sharp vein are Roman Catholics. We would like to make one thing clear. We would be ashamed to hold hatred or any lesser unkind thought toward a single soul for whom Jesus Christ has died. We respect the loyalty and the devotion of many Catholics. We have adherents of this faith for good friends, and we think that some Protestant churches could well learn from the Roman Catholic Church in some matters.

LIBERTY does not assail Roman Catholicism. The editor holds that anybody may believe in purgatory who wants to, but he himself cannot, neither can he accept the doctrine of the infallibility of the Pope, nor does he believe that Mary has been taken to heaven bodily, or some of the other doctrines which the Roman Church holds. Those subjects are never discussed in this journal. *LIBERTY* exists for one thing and one thing only—to help to preserve the separation of church and state and to keep religious

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liberty, the things which have made this nation what it is today, and the loss of which we believe would be an irreparable one.

In times of stress such as our nation now finds itself in, those who want to be particularly abusive are apt to charge others with being unpatriotic or belonging to some enemy of the Government. There was a time when many good German folk were called Nazis simply because they bore German names, though they and their ancestors might have lived in America for scores of years and given of their men and their money in support of the United States. Nowadays, "Communist," "fellow-traveler," "subversive activity," and such terms spring quickly to the lips as reproaches to people with whom some may not agree. We have had our fair share of this. In no spirit of boastfulness we are glad to let our readers know that this particular editor's forebears came to the Quaker colony of Pennsylvania a good while before the Revolution. The matter of classifying those whom one does not like is not as simple as it appears. A certain unworthy class of Catholic people—notice how we classify them—apparently endeavor to make it appear that one must either be a Catholic or a Communist. We quote the words of Dr. J. M. Dawson, who said in an address, "For me, it is not a question of 'either' 'or'; but 'neither' 'nor.'"

May we assure our readers that all this is written in a kindly spirit. There is no heat in it, but we wish that Americans might better remember that the fact that one disagrees even with a majority, does not necessarily make him a knave or a fool. H. H. V.

The Shorb Incident in Boone, Iowa

BOONE, IOWA, has in recent months been the scene of considerable controversy over the dismissal or the failure to rehire a teacher in the public school. Probably our readers will be as sharply divided in their opinions as the citizens of Boone. The facts, as given by the Religious News Service of April 23, are these:

"The contract of a teacher in the Boone High School has been terminated because he preferred to have his seven-year-old son attend a Roman Catholic parochial school.

"A 'gentleman's agreement' is said to exist among Boone school board members that teachers may not be retained if their children attend parochial schools rather than public schools.

"For this reason, Robert F. Shorb, 33, an Army Air Corps veteran of World War II, and instructor in vocational machine shop, will leave the Boone High School faculty after this semester.

"Four school board members emphasized that Mr. Shorb was not 'fired.' They explained to him the

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policy on parochial schools during a lengthy session.

"Mr. Shorb asked to go home and consult with his wife. He phoned back that they had decided the terms were unacceptable and that he did not want his contract renewed.

"Two other teachers among the 108 instructors in the Boone schools are Catholics and have children. However, their children are not yet of school age.

"A. V. Doran, president of the school board and a Boone attorney, said: 'It is my personal opinion that anyone teaching in the public schools owes allegiance to them.'

"The way I look at it,' said board member Willard McCartney, oil station operator, 'is the same way as I look at it in my business. If an employee traded at another station, he couldn't work for me. It isn't a question of religion—some of my best friends are Catholics.'

"Another member, Mrs. Anna Sutton, who was a grade school principal in the Boone schools before her marriage, said:

"By implication, Mr. Shorb is criticizing our schools when he sends his boy to a parochial school.'

"Board member Don F. Kruse, clothing merchant, said the agreement among board members has apparently been in effect for many years. It is not a regulation, but something that is generally understood, he added.

"Mr. Kruse, a Lutheran, said the rule would apply to a teacher who might send his child to the Lutheran parochial school in Boone. However, so far as school authorities know, this side of the problem has not arisen.

"The fifth member of the board, Clyde Jay, a city police department patrolman, declined to comment on the Shorb case.

"Mr. Shorb said, however, that Mr. Jay compared a policeman's economic situation with a teacher's position on the parochial school question.

"In the type of work I am in, suppose I sent to Des Moines and bought my furniture. I would not dare do it!' Mr. Jay was quoted by Mr. Shorb as saying.

"School board members carefully explained that 'no religious prejudice is involved.'

"It was rumored that 'Mr. Shorb was fired because he's a Catholic.' This is not true,' board president Doran said.



"The contract termination, however, has precipitated a wide discussion in the community, and numerous persons—apparently mostly Protestants—have protested the incident as a violation of basic American rights on religious freedom.

"Mr. and Mrs. Shorb have three children and are expecting a fourth. Their youngsters are Michael, 7; Janis, 3; and Myrna, 2. They have purchased an eight-room house which they are now remodeling.

"Mr. Shorb came here as a teacher after his graduation from Iowa State College in 1949. At first he commuted between Ames and Boone. His family moved here in June, 1950, and Michael started in Sacred Heart School last September. Mr. Shorb's salary is \$3,250, including night classes.

"Superintendent of schools D. F. Seaton said Mr. Shorb is a good teacher and all the school board members agree, so far as they are acquainted with his work.

"In its column 'Town Talk,' the Boone *News-Republican*, took editorial note of Mr. Shorb's plight.

"Undoubtedly," the newspaper said, "he wanted a renewal of his contract, but he refused to let the school board tell him to which school he could or could not send his children. Let's see now, what were those four freedoms again?"

"For the first time in his 20 years as a parish priest at Sacred Heart Catholic church, the Rev. John J. Ryan discussed this type of question.

"At Sunday services he lodged a protest against 'discrimination against freedom of education.'

"Mr. Shorb's contract has been terminated because he exercised his right as an American citizen to educate his children as he chose," Father Ryan said.

"There are 159 children in Sacred Heart School, in a parish having 950 adults and children. Boone has a population of 12,089, and 22 churches of 19 denominations.

"School board members, in discussing the case, have made a point of the fact that under state law a board, in interviewing a prospective candidate, cannot ask him his religion."

The Junior Chamber of Commerce of Boone asked that Mr. Shorb's dismissal be reconsidered, saying among other things:

"The freedom of the individual to worship as he pleases is one of the most important freedoms which we have fought for and cherished, and this action of the school board tends to endanger that freedom.

"A strong private as well as public school system is an essential element of a strong nation, state, or city.

"This action of the school board has caused a great deal of comment both within and without the school district and tends to divide the populace and cause bitterness and recrimination. It has reacted to the detriment of the City of Boone throughout the state

because of the adverse publicity and comment caused thereby."

The *Washington Post* of May 11 carried a United Press dispatch from Boone which says that "School Board President A. V. Doran today denounced as a 'lie' a charge that Instructor Robert Shorb's contract was ended because he refused to take his 7-year-old son out of a Catholic school."

The *Religious News Service* of May 11, 1951, reports further:

"Glenn L. Archer, executive secretary of Protestants and Other Americans United for Separation of Church and State, sharply criticized the Boone, Iowa, school board for ousting a Roman Catholic teacher because he sent his child to a parochial school.

"In a statement released in Washington, D.C., Dr. Archer declared that 'the defense of public schools must not be turned into warfare on private schools.'

"He said that Robert Shorb, a machine shop instructor, was not accused of any incompetence or unbecoming conduct, and that his ouster was 'an act of economic reprisal that smacks of persecution.'

"He was fired," Dr. Archer said, "for having exercised his right of free choice as a parent in regard to the education of his own child."

"He said that while Americans have a right to criticize the Catholic hierarchy for 'its opposition to the public school system,' and to criticize Catholic officials who 'misuse their office,' they must also by the same token oppose Protestants in public office 'who use their positions to coerce individuals in regard to their private lives.'

"Non-Catholics who deny to a parent his natural right to send his child to a school of his choice are on no firmer ground," Dr. Archer said, "than Roman Catholics who denounce the public schools as 'God-less' and 'monopolistic.'"

"He urged support of Mr. Shorb in his fight against the ouster."

The *Christian Century* remarks on the case:

"There may be some facts about that firing of the public school teacher in Boone, Iowa, which have not come out in the press and which would, if known, put a different light on the affair. On the basis of what has so far been printed, however, this episode must be set down as one of the most unjustified offenses against an American citizen's personal and religious liberty to transpire in a long time. It seems to be agreed by all parties that the contract of Robert F. Shorb, a machine shop instructor in the Boone schools, was not renewed because Mr. Shorb refused to take his son out of the town's parochial school. The school superintendent stated that there was no criticism of Mr. Shorb's work as a teacher. The school board did not claim that there had been anything in Mr. Shorb's contract which forbade him to send his boy to a parochial school. It could only argue that there had always been a 'gentleman's understanding' in Boone

that the children of public school teachers should attend public schools. So the school board, in the face of many protests from citizens and from the local junior chamber of commerce, first refused to renew Mr. Sforb's contract, and then refused to reconsider its refusal. The five gentlemen who make up the Boone school board probably believed they were standing for some American principle by this act. What they were really doing was to launch a blow at precious American liberties. Among them, as the courts have ruled frequently, is the liberty and right of an American parent to have his children educated in any school he may choose. One of the historic affirmations of that right was delivered by the Supreme Court in the Oregon school case. We trust that the Boone case will be carried to the courts, for we have no doubt what the verdict would be. Even more, we trust that the Protestant citizens of Boone will make it their business to instruct the members of the school board as to how badly they have gone astray in this sort of effort to support the public school system."—*The Christian Century*, May 23, 1951.

As far as LIBERTY is concerned, Dr. Archer and the editor of the *Christian Century* have expressed our opinions in this matter accurately. We think that the imposition of any religious test to judge the qualifications of a man to hold public office is entirely foreign and contrary to the real spirit of the Constitution.

H. H. V.

Oklahoma Loyalty Oath

ON APRIL 9, 1951, the State Legislature of Oklahoma passed a law requiring all employees of that State to take a so-called Loyalty Oath. Its avowed purpose is to prevent those who within five years previous to the passage of this law were or who are at present members of subversive organizations, from holding any public office or in anywise being employed by the State.

Thirty days were allowed all employees to subscribe to the oath. Those who failed to take the oath would be cut off from salary and removed from office upon expiration of the thirty days.

Apart from other stipulations in the law, the oath included the following provision:

"That I will take up arms in the defense of the United States in time of War, or National Emergency, if necessary; that within the five (5) years immediately preceding the taking of this oath (or affirmation) I have not been a member of the Communist Party, the Third Communist International, or of any agency, party, organization, association, or group whatever which has been officially determined by the United States Attorney General or other authorized public agency of the United States to be a Communist front or subversive organization or of any

party or organization, political or otherwise, that advocated the overthrow of the government of the United States or of the State of Oklahoma by force or violence or other unlawful means."

While little question was raised relative to the loyalty aspects of the law and its intended objective, widespread question was raised concerning the legal and moral aspects of the stipulation in the oath requiring the "bearing of arms." It was contended that this was contrary to the provision set up in the United States Selective Service Act of 1948 as passed by the Congress of the United States, allowing those who because of religious convictions have conscientious scruples against the taking of human lives, to render noncombatant service in the Armed Services of the United States. This provision has been supported by an opinion of the Supreme Court of the United States.

The United States Selective Training Act, passed by Congress in 1940 (54 Stat. 889, 50 U.S.C. App. Sec. 305 g), as well as earlier acts specifically made provision for noncombatant service in the Armed Services of the United States. In 1942 Congress also made provision for granting naturalization privileges to noncombatants who were in the military services but who were prevented from bearing arms by their religious scruples. The present Selective Service Act of 1948, Section 6 (h), stipulates:

"Any person claiming exemption from combatant training and service because of such conscientious objections whose claim is sustained by the local board shall, if he is inducted into the armed forces under this title, be assigned to noncombatant service as defined by the President."

There was opposition to the requirement to bear arms, which it was felt was rather remote from the purpose of the law and somewhat conjectural as a proper criterion for determining the loyalty of citizens. Many throughout the State of Oklahoma, including educators, university and other officials, religious leaders, philanthropic and other organizations felt that justice would be denied to many loyal folk by the law as enacted because it refused to recognize the noncombatant service which the United States law and military officials accept.

Legal steps were in the process of being taken to secure a court injunction to prevent the enforcement of the law until its constitutionality might be determined by the courts, when two days before the deadline for the law to go into effect, the Attorney General, Hugh Q. Williamson, handed down an opinion as to the meaning and constitutionality of the law, prepared for him by Fred Hanson, First Assistant Attorney General. The Attorney General said:

"In relation to that part of the oath which requires public officers or employees to state 'that I will take up arms in the defense of the United States in time of war or National Emergency, if necessary,' atten-

tion is called to the case of *Girouard v. United States* (1946), 328 U.S. 61, 90 L. ed 1084, in which the Supreme Court of the United States *expressly overruled* three of its former decisions holding that the statutory oath of allegiance taken by aliens in effect required them to state in their applications for citizenship that they would 'bear arms' in time of war, and in effect held (in harmony with dissenting opinions filed in said former cases by Chief Justice Hughes and Justice Holmes) that said oath of allegiance, when properly construed, did not so require."

Mr. Justice Douglas, who spoke for the United States Supreme Court in the *Girouard* naturalization case, said:

"And the annals of the recent war show that many whose religious scruples prevented them from bearing arms, nevertheless were unselfish participants in the war effort. Refusal to bear arms is not necessarily a sign of disloyalty or a lack of attachment to our institutions. One may serve his country faithfully and devotedly, though his religious scruples make it impossible for him to shoulder a rifle. Devotion to one's country can be as real and as enduring among non-combatants as among combatants. One may adhere to what he deems to be his obligation to God and yet assume all military risks to secure victory. The effort of wars is indivisible; and those whose religious scruples prevent them from killing are no less patriots than those whose special traits or handicaps result in their assignment to duties far behind the fighting front. Each is making the utmost contribution according to his capacity. The fact that his role

may be limited by religious convictions rather than by physical characteristics has no necessary bearing on his attachment to his country or on his willingness to support and defend it to his utmost.

"The test oath is abhorrent to our tradition. Over the years Congress has meticulously respected that tradition and even in time of war has sought to accommodate the military requirements to the religious scruples of the individual."

In view of the matters quoted and others to which Mr. Williamson referred, he held, as Attorney General, that the oath requiring officers and employees of the State of Oklahoma to swear to "take up arms in the defense of the United States in time of War or National Emergency, if necessary, . . . *cannot constitutionally be applied to a person who has religious scruples against bearing arms*, and hence is of the further opinion that as to such a person said statement in his oath is of no force or effect and is not binding thereon.

"In fact, the above concluding words 'if necessary,' construed in connection with federal laws permitting persons having religious scruples against bearing arms to render non-combatant service in lieu of bearing arms, in our opinion indicates a legislative intent that such a person taking the new oath agrees to either bear arms or render non-combatant service."

It is believed that this opinion more nearly harmonizes with our American tradition and is in harmony with the position taken by the Congress of the United States and the interpretation given by the United States Supreme Court.

A. W. J.

NEWS AND COMMENT

South Dakota Senate Kills Hutterite Bill

PIERRE, SOUTH DAKOTA.—By a vote of 22 to 13, the South Dakota Senate killed a bill which would prohibit communal colonies in the state from acquiring any more land after July 1, 1951.

"Known as the Hutterite bill, the measure had been passed by the House of Representatives, although in a form considerably modified from the original version, which provided for dissolution of these religious colonies.

"Great pressure had been put upon Gov. Sigurd Anderson to veto the bill in case it passed the Senate. The governor said he had received many letters on

the subject, most of them opposed to this kind of legislation, but did not make known his own intentions."—Religious News Service, March 5, 1951.

Nebraska Bars Grants to Church Hospitals

THE ATTORNEY GENERAL OF NEBRASKA, in response to the request of the Scotts Bluff County attorney, handed down the opinion that neither the State legislature nor a Nebraska county can appropriate or pledge public money to a hospital operated by a religious denomination. The attorney general stated in his opinion, "The county could doubtless purchase or acquire the hospital from its

present owners for use as a community hospital, but it cannot grant county funds to it as long as it remains in private hands."

This ruling is in harmony with the provisions of the State Constitution of Nebraska and with the American ideals of a separation of church and state.

Montana Governor Vetoes Anti-CO Bill

HELENA, MONTANA.—Gov. John W. Bonner vetoed a measure passed by the state legislature which would have made military noncooperation a felony punishable by fine or imprisonment. The governor said that the state does not have jurisdiction over matters that concern the United States Army.

"The bill was directed against the Hutterite colonies in Montana, whose members refuse, on religious grounds, to accept either combatant or non-combatant military service.

"Both chambers of the legislature had approved the measure with decisive majorities, despite opposition from church leaders."—Religious News Service, March 6, 1951.

Quaker Youth Sentenced to Ten Years for Draft Violation

A 15-YEAR PRISON SENTENCE, described as 'the harshest given any Selective Service violator since the passage of the original draft law in 1940,' was imposed by a federal judge here on Robert Michener, 19-year-old Quaker conscientious objector of Hays, Kansas.

"Mr. Michener pleaded guilty in U.S. District Court to failure to fill out the Selective Service questionnaire, failure to report for his physical examination, and refusal to report for induction. His prison term was set by Judge Delmas Hill, who had previously sentenced the youth to a year and a day for nonregistration.

"The Quaker CO received five years in prison, the maximum under the law, on each of the three counts. Two of the sentences are to run consecutively and the third concurrently, making their total the equivalent of a ten-year sentence.

"At the time of his conviction Mr. Michener was on parole from his earlier prison term and was a student at Drake University, Des Moines, Iowa. When he learned of his indictment by a federal grand jury, he voluntarily returned to Kansas and reported to the district attorney."—Religious News Service, March 9, 1951.

About this sentence, *The Christian Century* said, "Some effort has been made to protect rights of conscience under the present conscription law. But when the courts have a bent to use the law to inflict barbarous and vindictive punishments, its provisions

make that possible. The case of Robert Michener proves it. Michener is a 19-year-old Quaker, born of missionary parents in Africa, who refused to register for the draft and was sentenced to a year and a day in a federal penitentiary. He served that term. When he came out, although as a felon he is no longer eligible to serve in the armed forces, he was sent a questionnaire by his Selective Service board and subsequently ordered to report for his physicals. When he refused, the same prosecutor took his case before the same judge who had sent him to prison. Between them they 'threw the book' at him. He was convicted of three 'crimes': failing to fill out his questionnaire, failing to report for physical examination, failing to report for induction. The judge gave him five years on each count. Two of these sentences are to be served concurrently; the third consecutively. In other words, young Michener has now been sentenced to serve 11 years in a federal penitentiary for standing on his rights of conscience. This is a longer sentence than has been imposed on any outright draft dodger. It is more than twice as long as the sentence given Alger Hiss. And there is no assurance that when Michener finishes these ten added years in a cell the same cat-and-mouse process won't be repeated to send him back to prison again. If the judge remains implacable, he might spend the rest of his life there. This is an outrage, and the fact that the judge has it within his legal powers to impose such a sentence does not alter its tyrannical aspect. Executive intervention is needed. More important, the federal judiciary needs to be cleansed of judges who administer the law in such a fashion. The judge who imposed these terrible sentences on this young Quaker probably believed that he was upholding the majesty of the law. He wasn't. He was bringing it into contempt."

The *Washington Daily News*, March 6, 1951, published an editorial under the heading, "Personal Dilemma." Space does not permit us to reproduce all that the *Washington Daily News* said, but the paragraph we offer is full of meat: "... Our wars, our political struggles, have always been waged on the premise that the important thing is the individual man; not man as a number; not man as a statistic. The sacred thing is one man, standing upright, secure and unafraid in his honest beliefs. When each man's faith is safe, all of us are safe."

Parochial School Bus Transportation Defeated in Washington

SEATTLE, APRIL 23.—A number of bills in which the Washington council of churches was vitally interested came before the red-hot session of the State legislature that ended March 19. The bitterest fight centered around Joint Resolution No. 15, which represented an effort by the Roman Catholic Church and its sympathizers to authorize a vote on



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amending the State constitution to permit the use of public school buses and other facilities by private school pupils. This resolution passed the house, was amended in the senate and was finally defeated.—*The Christian Century*, May 9, 1951.

Trucking on Sunday

AN OLD MASSACHUSETTS LAW yesterday detoured 11 big out-of-State trailer trucks toward a court hearing.

"State police stopped the trucks and arrested the drivers on a charge of 'unlawful work on the Lord's Day.' Most were from New York.

"Police said they acted after many complaints about the huge vehicles from Sunday motorists.

"The drivers are due in court later this week to answer to a statute which restricts trucking of certain commodities between 8 a.m. and 8 p.m. on Sunday.

"Police said they didn't arrest any Massachusetts truck drivers because 'none was found on the roads.'"
 —*The Evening Star*, Wash., D.C., May 21, 1951.

The Muzzlers

WE LIKED THE NEWSPAPER ADVERTISEMENT, signed by several of America's outstanding writers, headed: "What are you doing out there?" Its theme was set by the following:

"In 1846, as the legend goes, the writer Henry David Thoreau was jailed in Concord, Mass., for refusing to pay his taxes as a political protest. Visiting Thoreau, Ralph Waldo Emerson peered through the cell bars, and asked: 'What are you doing in there?' Replied Thoreau: 'What are you doing out there?'"

It went on, "American artists are being judged, convicted and fired solely on charges of professional informers. American writers have been forced to choose jail rather than betrayal of their beliefs. American scholars are losing their posts as a result of the imposition of loyalty oaths which have nothing to do with their competence as free and honest teachers."

This and much more to the point is followed by the demand to Americans—they mean real Americans!—"Speak up for freedom! We only ask you to raise your voice for freedom. The voices of bigotry and aggressive intimidation are loud and raucous throughout the country today. If the voices of decency and courage remain silent, the right of everyone to live and work in peace and freedom may be lost."

This is the kind of talk we'd like to hear much more from the pulpits of America—many of which have already seen the shadow of the informers. Unless clergymen put aside their fears and speak up many more will feel that sinister gag of the muzzlers.—*The Churchman*, Feb. 1, 1951.



The members of the historic Continental Congress of 1776 pledged their lives, their fortunes, and their sacred honor as they signed the Declaration of Independence.

John Hancock Signs the Famous Document

By the EDITOR

ONE HUNDRED AND SEVENTY-FIVE years ago, on the fourth of July, 1776, John Hancock, "by order and in behalf of" the Continental Congress, and as its President, affixed his name to the Declaration of Independence. This original document was signed also by Charles Thomson.

The engrossed and signed copy with which Americans are familiar, is found in the Library of Congress, and is the only such copy in existence.

Anyone who has been privileged to see this original, or photographs of it, must have been struck by the bold strokes of John Hancock's pen. These were so impressive, when written, that to this day a signature is often referred to as a John Hancock.

The liberty declared by our forefathers, ratified by their blood during the Revolution, and made secure through the provisions of the Constitution must never be lightly esteemed if it is to endure.

Because men love power, and all too many are willing to trample upon the rights of their fellows to get and keep it, we Americans must consider no price too

great to preserve what we have. The signers of the Declaration of Independence held certain truths to be "self-evident." The constant repetition of such sentiments perhaps seems trite to many, boring to most others, but the lessons of the ages prove that where liberty is involved no enemy is more to be feared than indolence.

The fact that a century and three quarters have passed since the founding patriots declared their freedom from a system that upheld "taxation without representation," and other things that were as objectionable does not prove that what they fought for is forever safe. Liberty needs our love and devotion still.

Philadelphia commemorated the 175th anniversary of the signing of the Declaration of Independence by a four-day celebration. Earth from the battlefields of the thirteen original States was mixed and planted in a Garden of Freedom in Independence Square. A Freedom Parade and an interdenominational religious service were also features of the celebration. Good for Philadelphia.

Home of the Free



To everyone entering the port of New York the *Statue of Liberty* is a symbol. To the immigrant it promises economic opportunity not known before and freedom not found in most of the world. To the home-coming American it means that he is again under the protection of his own flag, with a new appreciation of the security it gives.

The *Statue of Liberty*, as all know, was given to this country by France in appreciation of help received from the United States. It was accepted to become a sign of equality and liberty for every dweller in this land.

H. H. V.

